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CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION

Initial and second periodic reports of States parties

PARAGUAY*

* This document has been translated from an unedited original

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INTRODUCTION

1. Paraguay ratified the Convention on the Elimination of All Forms of Discrimination against Women on 28 November 1986.

2. The Convention came into force on 25 March 1987, whereupon its stipulations became mandatory provisions of Paraguayan legislation (Law No. 1215).

3. It is only since the country's democratization process began on 3 February 1989 that an interest in the matter and a willingness to comply with the Convention has emerged.

4. This first report on the application of the Convention's principles and provisions in Paraguay has been produced in the Directorate-General for Human Rights attached to the Ministry of Justice and Labour, under the direction of Mr. Eric María Salum Pires.

5. The contribution made to its preparation by the Paraguayan Women's Coordination Unit (CMP), which combines 14 women's organizations, 1/ and specifically by the researchers Line Bareiro (Documentation and Study Centre), Graciela Corvalán (GEMPA-CPES), Mirtha Rivarola and Juan Francisco Sánchez, deserve to be highlighted.

6. Use has also been made of surveys produced by local non-governmental organizations - in particular "Mujeres latinoamericanas en cifras" (Latin American Faculty of Social Science (FLACSO)/Spanish Women's Institute (Instituto de la Mujer de España)) - and Olga María Zarza, Susana Villagra and Luis Campos.

I. GENERAL SITUATION OF THE COUNTRY

7. Paraguay covers an area of 406,752 km^2 that divides into two major regions: the Eastern region, which extends over 39 per cent of the national territory and where 98 per cent of the population live, and the Western or "Chaco" region, which is a dry and sparsely populated tropical savannah. The national population, estimated at some 4 million inhabitants, is concentrated primarily in the countryside, since a sizeable portion (55 per cent) of the land is still rural. The agricultural sector's contribution to the gross domestic product (GDP) is 29 per cent (see annex A: population statistics).

1/ Alter Vida, BASE/IS, the Centre for Humanitarian Studies (CEDHU), the Documentation and Study Centre - Women's Area (CDE), Mujeres en Acción (ASO), Mujeres por la Democracia, Ñandutí Mujer, the Paraguayan Centre for Population Studies (CEPEP), the Paraguayan Centre for Women's Studies, the Paraguayan Lawyers' Association, The Paraguayan Lawyers' Circle and the Study Group on Paraguayan Women (GEMPA/CPES).

8. Paraguay is the only truly bilingual country in Latin America. Most of its inhabitants speak Guarani and Spanish with equal fluency, the former being the predominant language in rural areas and the latter in urban localities. With an average annual income of 1,254 dollars per inhabitant and social indicators showing deficient standards of nutrition, health and education, Paraguay has been classified among the "medium human development" countries according to the methodology used by the United Nations Development Programme (UNDP) in establishing the human development index.

9. Paraguay's economic growth rate over the last two decades was well above the Latin American average. The main reasons for this were the incorporation of extensive soya-bean and cotton production schemes into the agro-export economy and the multiplier effect of the large-scale investments in the Itaipú hydroelectric dam project in the late 1970s.

10. Between 1982 and 1986, the rate of expansion slowed down owing to completion of the main public-works programmes, unfavourable climatic conditions, and adverse external factors stemming from the world recession and the debt crisis. Since 1987, Paraguay has again been showing positive rates of growth, thanks to the good performance of the agricultural and livestock sectors.

II. DEVELOPMENT POLICIES

11. The change of government on 3 February 1989, with the subsequent establishment of a constitutional Government following the democratic election of Andrés Rodríguez as President of the Republic, and the creation of a State subject to the rule of law, have introduced freedom, pluralism and a more equitable redistribution nation wide.

12. In April 1989 the new Government ratified the 1989/90 Economic and Social Development Plan, the aims of which were to achieve sustained growth and to assist in resolving what were regarded as the most pressing problems: unemployment, inflation and social needs.

13. Priority attention focused on strategies and measures concerned with development and stabilization, particularly those relating to exchange-rate, monetary and credit policies.

14. Among the most prominent features of the Plan, the following should be mentioned:

- Exchange-rate decontrol, aimed at stabilizing the balance-of-payments situation and improving foreign-currency capitalization;

- Tax reforms designed to augment fiscal revenue from direct taxation, which would in turn be used to facilitate the implementation and efficient administration of the reforms;

- Promotion of comprehensive rural development, focusing on the advancement of the peasant farmer and the implementation of moderate agrarian reform measures;

- Administrative and institutional modernization and restructuring of the public sector, with a view to increased efficiency in government administration;

- Promotion of social development policies aimed at improving living standards in the low-income sectors and fostering social justice and the principles of democracy;

- Investment incentives: the Private Investment Promotion Act promulgated in March 1990 provides for tax exemptions for various types of economic undertaking, both at home and abroad;

- Tax reforms: tax control measures have been adopted and draft reforms prepared with the aim of establishing an easy-to-monitor, universally applicable and equitable taxation system with reasonable rates of levy;

- Establishment of the Directorate for Social Assistance and Relief (DIBEN): this institution was set up in April 1989 under a Presidential Decree, subsequently endorsed by congressional act, to meet the welfare needs of those sectors that lack adequate financial means.

III. PROBLEMS AND POSSIBILITIES

15. The country that was inherited by the new Government in 1989 displayed very worrying social, economic and ecological indicators; the task of gradually rectifying the conditions that had brought about these nationwide problems and of formulating short- and medium-term policies to meet the most urgent needs would thus be an arduous one.

16. **Education.** In the area of education, the situation continues to give cause for concern. The figures from the previous administration's last census on adult illiteracy do not appear to be reliable, and it is believed that the actual rate could be as high as 25 per cent. School retention levels are very low, and it is estimated that only 40 per cent of the population has completed primary schooling.

17. In the rural sector, the educational situation is deteriorating. Indeed, school retention is 32 per cent only, while the percentage of establishments whose intake is incomplete continues to be very high. In the interior of the country, 42 per cent of teaching posts are held by unqualified staff.

18. The shortcomings in all cases stem from budgetary restrictions due to limited fiscal revenue and to the external debt burden inherited from the previous regime. Various efforts are being made to increase tax pressure and to renegotiate the debt repayments with a view to releasing the resources required to meet the needs of society.

19. **Health.** The health situation is characteristic of a developing country, the recognized prime cause of sickness and disease being poverty and its attendant ills of deficient sanitation, lack of health education,

inadequate health practices and poor health-service coverage for vulnerable groups. To be noted among the most serious health problems are the high levels of maternal and infant mortality, due mainly to easily preventable evils. The low level of health spending, which constitutes one quarter of the average figure for Latin America, accounts for the persistence of the problem.

20. **The migration phenomenon.** Until the early 1970s, which marked the start of an economic boom fostered by major public-works schemes, such as Itaipú, and the influx of foreign capital and investment, large numbers of the labour force had been emigrating to neighbouring countries, particularly to Argentina. Over the five-year period from 1956 to 1960, 300,000 Paraguayans emigrated to Argentina, a number exceeding the figure recorded for the whole of the previous decade.

21. In 1970, the phenomenon began to reverse. In the first place, there was a drastic reduction in the exit of Paraguayan labour owing to increased demand for local employment, which contrasted with the severe crisis affecting the countries bordering Paraguay; and, secondly, this trend coincided with the start of a process of immigration, mainly of Brazilians but also, albeit to a lesser extent, of Europeans and oriental people. At the present time, foreigners make up 6 per cent of the total population, a threefold increase over traditional levels.

22. Over the last 20 years, major changes have taken place in population distribution, particularly in the Eastern region. A pole of population attraction was initially created in the Alto Paraná area, chiefly in the vicinity of Ciudad del Este, by the large-scale Itaipú dam construction works.

23. The population of the Department of Alto Paraná is currently estimated at about 10 per cent of the national total (having risen from 1.3 per cent in 1962 and 6.7 per cent in 1982). A further major pole of attraction continues to be Greater Asunción, whose inhabitants at present number more than 26 per cent of the total population (compared with 20 per cent in 1962).

24. The population expansion towards Asunción and the east of the country contrasts with the fall in population numbers in the Central subregion (41 per cent of the total in 1962 and 28.8 per cent in 1982) and the Southern subregion (14.6 and 13.6 per cent respectively). No significant changes have taken place in the north of the country.

25. Despite the uninterrupted population growth, the rate of urbanization remains low. Paraguay is still a predominantly rural country. The low level of urbanization is due to the absence of industrialization processes and the lack of employment outside the agricultural and livestock sectors.

26. **Colonization process - occupation and settlement.** One significant aspect of the previous Government's economic and social policy was the launching of a process of colonization of vast agricultural borderland areas available in the north and east of the country. Government support to the colonizing families was minimal. Access to loans was limited, the

formalities for obtaining titles to land were cumbersome, and basic services such as education and health were precarious. This situation gave rise to numerous problems, owing to the poor living standards of the families on the farming settlements.

27. With the establishment of the democratic Government, new conflicts and old problems emerged. Between 1989 and 1990, instances of land occupation multiplied; in some cases these were allowed and in others prevented. There are currently over 40 recorded farmstead settlements housing more than 12,000 families. The Government regards the solution of this problem as a priority issue, since in most cases the people do not have any basic services.

28. **Maternal mortality.** Paraguay's maternal mortality rate, estimated at 38 per 10,000 live births, ranks second in Latin America. Bearing in mind that the number of new births fluctuates between 100,000 and 120,000 each year, this rate represents over 400 maternal deaths per annum.

29. Abortion is the second-commonest cause of maternal deaths, such deaths would be to a great extent avoidable through appropriate education programmes and family planning services.

30. **Fertility.** According to the recently conducted National Population and Health Survey (ENDS-90), the global fertility rate for the period from 1987 to 1990 was 4.7 per cent. This figure is higher than the desirable level of 3.5 per cent. In comparison with the previous decade (4.9 per cent), fertility levels have fallen slightly but still remain relatively high.

31. The highest fertility levels are found among women living in rural areas (6.1 per cent) and among women who have an incomplete primary education or less (6.4 per cent). In urban localities, the global fertility rate is 3.6 per cent, and among women educated to secondary level it is 3.2 per cent.

32. The findings of the survey revealed that one in every three Paraguayan women does not want to have any more children, while 26 per cent wish to wait at least two years before having another child. It is primarily women under 30 years of age who wish to wait more than two years. The crude birth rate over the period from 1985 to 1990 is estimated at 34.8 per thousand.

33. **Infant mortality.** According to the ENDS-90 survey figures, infant mortality has fallen by 24 per cent over the last 10 years, from 45 deaths for every thousand new births during the period 1975-80 to 34 per thousand in recent years.

34. The rate of non-survival beyond five years of age for infants of one year or more is estimated at nine per thousand, which is a 55 per cent reduction on the levels for the previous decade.

35. According to the above-mentioned survey, the infant mortality rate for the period from 1980 to 1990 is highest among the rural population and among children of women who have an incomplete primary education or less.

36. The risks of death among children under five years of age are far less if the mother is aged between 18 and 34 years, if the child is her first or second, and if the birth occurred at least two years after a previous birth.

37. **Life expectancy.** Life expectancy at birth has followed a positive trend over the last 40 years, the average life-span rising from 63 to 67 years (men 65 and women 69). This change is due primarily to the fall in the infant mortality rate. The crude mortality rate over the period from 1985 to 1990 is estimated at 6.6 per thousand.

IV. STATUS OF WOMEN

38. As in other developing countries, the integration of rural women into the production processes is high and their contribution to the national economy is considerable. Over half the female population in Paraguay lives in the countryside and is directly or indirectly involved in rural production. Living conditions and possibilities of personal development are more limited for rural women than for urban women.

39. According to the 1982 census figures, rural illiteracy (28.9 per cent) was far greater than urban illiteracy (13.3 per cent). Even though Paraguay is not a country with particular shortcomings in the educational field there is a conviction that the education system is deficient and that this deficiency affects women in particular. It is also probable that the actual rates of illiteracy are higher than those recorded in the 1982 census.

40. As regards health, most rural women do not have access to adequate medical services, since 70 per cent of professional health personnel are concentrated in urban areas. The maternal and infant mortality statistics for the rural population clearly illustrate the dramatic consequences of inadequate health-care coverage.

41. Women participate directly in rural production processes or in the marketing of agricultural products, perform domestic tasks, care for their children and are directly involved in decision-making on matters relating to the household economy and the feeding and upbringing of their children. In addition, they frequently take on employment outside the family home to enable them to maintain a balanced household budget. The main occupations undertaken by rural Paraguayan women outside the home are laundering, paid agricultural labour, community work, domestic service, factory jobs, retailing, teaching, midwifery and the selling and processing of farm produce.

42. According to recent research, women head 11.17 per cent of individual farming or stock-raising businesses. In general, it is female-headed households that are the poorest since, compared to men, women engage in productive labour in disadvantageous circumstances because, in addition to their productive work, they have to attend to the running of the home and perform other tasks related to the feeding, health and upbringing of their children.

43. To this must be added the fact that, as a general rule, rural women do not own the land that they work, since the holding is usually in their husband's or partner's name and rarely in their own name, which makes it difficult for them to obtain credit and loans.

Articles 1 to 4

> For the purposes of the present Convention, the term "discrimination against women" shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.

44. In Paraguayan legislation there are no provisions concerning discrimination, other than the Convention itself. Article 51 of the National Constitution lays down the following: "This Constitution recognizes the equality of the civil and political rights of men and women, whose correlative duties shall be established by law, having regard to the purposes of matrimony and to the unity of the family".

45. The National Constituent Convention is currently meeting for the purpose of totally reforming the Paraguayan Constitution. All the political parties' drafts incorporate stipulations concerning equality between the sexes and the principle of non-discrimination.

46. The only legislative measure to date that promotes equality is that contained in the Electoral Code (Law No. 1/90), whose importance derives from the fact that it acknowledges the existence of gender-based discrimination in party political appointments and displays a certain willingness on the part of the legislators to eliminate barriers to women.

47. Article 34 of the text states: "The Organizational Charter or Statutes of the Party shall lay down the rules to which its organization and operation shall conform. They shall be the fundamental law of the Party and shall incorporate at least the following matters: (a) ...; (b) ...; (c) ...; (d) ...; etc. ... appropriate measures for the promotion of women to elected posts".

48. However, this provision has not been put into practice for various reasons. The proposal for a minimum 20 per cent quota of female representation in executive and elective posts was not adopted in the Convention drawn up by the Authentic Radical Liberal Party (PLRA) in 1990 and, although the same motion was approved in the Convention of the National Republican Association (ANR) drafted in 1991, the new statutes have not yet come into force pending an appeal on constitutional grounds (Recurso de Amparo). The other parties have not even discussed ways of implementing the affirmative action, and no government authority has called for it to be put into effect.

49. In December 1991, the Chamber of Deputies passed a bill for the establishment of a Department of Women's Affairs, which will be attached to the Office of the President of the Republic and rank as a ministry if the bill is also approved by the Senate. This bill has been drawn up on the basis of the document "Bases para el proyecto de ley para la Secretaría de la Mujer" ("Fundamental principles for the draft law on a Department of Women's Affairs") submitted jointly by the Paraguayan Women's Coordination Unit and the Paraguayan Women's Multisectoral Group. If the bill is approved, a major instrument for the development of public anti-discrimination policies will have been produced.

Institutional/governmental situation with regard to women's issues:

50. At the three top levels of State administration (the ministries, under-secretariats and directorates-general), there is no one office whose main responsibility is the development of public policies for women. The highest-ranking bodies are the Delegation to the Inter-American Commission for Women (IACW) of the Ministry of Foreign Affairs and the two offices of the Ministry of Justice and Labour, but these offices have very limited resources.

51. The Home Education Department (DEH) of the Technical Support Division of the Agricultural and Livestock Advisory Service (SEAG) of the Ministry of Agriculture and Livestock has three major projects in operation, which are funded by the Paraguayan Government and by international organizations. At each of the 197 SEAG agencies located throughout the country, there is one home educator.

52. The DEH projects are: the Role of Women in Rural Development, the UNIFEM project aimed at increasing family income through the promotion of women's productive activities, and the UNICEF project focusing on the care and feeding of mothers and children.

53. There are three organizations operating at the programme or sectional level: the Family Health Programme of the Ministry of Public Health and Social Welfare, the Human Development Programme (PDH) of the Directorate for Social Assistance and Relief (DIBEN), and the Women's Section of the Social Development Area within the Technical Planning Secretariat (STP).

54. In addition to DIBEN, the following are involved in the Human Development Programme (PDH): the United Nations Development Programme, the Ministry of Agriculture and Livestock, the Ministry of Education and Religion, the Ministry of Public Health and Social Welfare, the Food and Nutritional Education Programme (PAEN) and the World Food Programme (WFP). PDH will extend over the period from 1991 to 1994 and has a budget of US$ 11.4 million.

55. This programme, which is being undertaken in 13 departments of the Eastern region, defines the advancement of rural women as one of its key objectives, along with the promotion of school attendance and improvements in child health and nutrition. Between 1991 and 1992 it hopes to organize 1,000 women's committees that will bring together over 60,000 participants.

56. Encouraging developments have been the establishment of a women's police unit attached to Police Station No. 12 in Asunción and the Physical and Sexual Abuse Prevention Campaign promoted by the three branches of government and numerous private organizations. Also noteworthy is the recent inclusion of women's issues as a research topic in the Population and Development Department of the Economics Faculty at the National University of Asunción, and the establishment, in January 1992, of an Office for Women's Affairs within the municipality of Asunción.

Article 5

Action by the State to eradicate cultural patterns of discrimination against women

States Parties shall take all appropriate measures:

(a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women;

(b) To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, it being understood that the interest of the children is the primordial consideration in all cases.

57. The issue of equality and, more particularly, the need to eliminate stereotypes and cultural patterns that discriminate against women have gained prominence in the social, cultural and political areas of Paraguayan life.

58. The starting-point for women's assertion of their rights was a growing awareness of the deep-seated injustices inherent in the strict traditional division of functions assigned to women. It is now recognized that such a forced exclusion from direct, personal involvement in the making of history constitutes a form of discrimination that gives rise to other discriminatory acts, both latent and visible, of a greater or lesser importance, affecting the actual lives of all women.

59. Linguistic forms of expression that embody ideologies and prejudices against women are so deeply rooted in our patterns of response that it is difficult to recognize them.

60. Cultural and traditional practices that impede women's social advancement are rooted in Paraguayan society's system of values and its beliefs, attitudes and conduct. However, the speed and intensity of the changes that have taken place over the last ten years must be acknowledged. Clearly, the cultural influences of the more advanced countries and a growing need to enter the labour market, together with an increase in permissiveness, have been instrumental in the rapid transformation of women's social status.

61. This has meant that, although in some social and economic sectors the productive roles are still reserved for men and the reproductive roles for women, in others this dichotomy is now ceasing to be the norm, despite the extreme conservatism of Paraguayan society.

62. The greatest effort to eliminate male and female stereotyping is that being made by non-governmental women's organizations through the communication media, targeting the female population in general. Also, the Educational Reform Commission has given this matter special attention through the introduction, within educational administration, of corrective measures in teaching methods and in the preparation of educational materials. It is still the custom to regard the man of the house as the "head of household", although this concept of household headship is being changed by the economic crisis, in view of the increasing number of women without partners and/or of women who are the main breadwinners.

63. The notion of men's work and women's work still exists, although this is slowly changing. For example, we are beginning to see women police officers, construction workers, bus conductors, news-vendors, etc. The lack of statistics on these occupations makes it impossible to know the percentage occupational breakdown. However, under employment legislation, women may not perform night work or work that threatens their health or family stability, although the legislation does not specify which occupations these are.

64. Within the family, household tasks are traditionally assigned differently to the sexes, and it is the woman of the house who assumes responsibility for the care of the children and the elderly. Since the divorce law has only just been enacted, we do not have data on who is typically granted custody of the children.

Women as portrayed in teaching materials

65. Socially created stereotypes are not only found in images, attitudes and behaviour; they also pervade the structure of language. We thus encounter sexist stereotyping from first-grade textbooks right up to the endless discussions on the use of job titles. This was the case with the appointment of the first female minister in the history of the country, which gave rise to a variety of views as to the correctness of terms such as "la ministro", "la ministra", etc.

66. Obviously, reference to women in the use of language is not the only way in which sexism permeates our society, but is nevertheless one of the most persuasive, along with the mass media.

67. In this connection, public-sector educational materials involving women and formal teaching methods are in line with OAS (Organization of American States) standards on the female image in school textbooks. As part of a project spanning three countries (Argentina, Brazil and Paraguay), the Inter-American Commission for Women proposed that a more serious study should be made of traditional female stereotyping in primary-level textbooks, for which purpose a "diagnostic survey to support action aimed at harmonization of the sexes ..." has been carried out.

68. The study is descriptive and based on an analysis of names and characters in text and illustrations covering the roles of men and women portrayed in all primary-level reading books and social-studies manuals in the public and private sectors.

69. Naturally, the findings do not vary at all from the results obtained on the same subject in other Latin American countries. Differentiation is apparent in the emphasis placed on women in the domestic sphere and on men in the public sphere, thereby reinforcing the traditional female stereotyping that is so prevalent in our country. Similarly, the report comments on the absence of the female role of decision-maker and of roles portraying women outside the private sphere, with male characters occupying the entire public sphere. The most surprising discovery made by the researchers was that 100 per cent of the authors of reading books and 93 per cent of the writers of social-studies manuals are women (Corvalán, 1990).

Article 6

Suppression of traffic in women and exploitation of prostitution

States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.

Traffic in and prostitution of women

70. There is no specific legislation that deals with prostitition. The prevailing attitude regarding this issue is an arbitrary one rather than one based on laws. Thus, for example, at the operative level, the approach adopted by the police forces is to combat such conduct through dissuasive action undertaken by police personnel, and frequent checks are carried out at public premises and places, dance halls, railway stations and generally at any points that may serve as a regular meeting place for prostitution purposes.

71. Under article 170 of the Civil Code, the incitement of a spouse to prostitution constitutes grounds for judicial separation.

72. Article 170. Judicial separation may be applied for by either spouse on the following grounds:

73. Dishonest or immoral conduct of either spouse, or incitement by one spouse of the other to adultery, prostitution or any other vice or criminal act.

74. Book III, title II, of the Young Persons' Code refers to minors who are neglected or at risk. In such situations, the juvenile court judge has to intervene, as is laid down in the following article:

75. Article 220. Whenever a juvenile court judge becomes aware that any persons under the age of 20 years are in a state of physical or moral neglect or in a situation of risk for them, he shall conduct the necessary inquiries, obtain the relevant reports and take appropriate steps for their protection.

76. Under-age persons are regarded as neglected if they are led into immoral ways of life, including prostitution, as stated in subparagraph (b) of article 221.

77. Article 221. Under-age persons shall be deemed to be in a state of physical or moral neglect in the following circumstances:

(a) ...

(b) If they are in the care of parents or guardians in whatsoever capacity who are customary inebriates or drug addicts or of unsound mind or guilty of immoral conduct or who incite them to engage in begging or any other immoral or improper way of life or in lawbreaking;

(c) ...

78. Article 222 defines those situations where under-age persons are at risk, and, in its subparagraphs (d) and (h), stipulates that such situations include prostitution.

79. Article 222: Persons under the age of 20 years shall be presumed to be at risk if they:

...

(b) Habitually or occasionally traffic in or consume narcotic drugs ...

...

(d) Engage in prostitution or obtain any profit therefrom;

...

(h) Engage in occupations that are immoral or improper or constitute a threat to their life or person.

80. Under-age persons who are neglected or are at risk will be placed under the responsibility of the juvenile courts, which are required to hear and decide on their case in accordance with the provisions of article 227, subparagraphs (i) and (j).

81. Article 227: ...

(i) In the matter of the protection of under-age persons who, under the terms hereof, are neglected or at risk, with the exception of cases of risk that have to be dealt with by the correctional courts; and

(j) Take such steps and measures at it deems advisable, for the benefit of the under-age persons.

82. Or they may be placed under the jurisdiction of a juvenile court judge dealing with criminal cases, in accordance with article 231, subparagraphs (c) and (d).

83. Article 231: ...

(c) Investigate, hear and decide upon the matter of the protection of under-age persons who, under the terms hereof, are at risk; and

(d) Rule that under-age persons whose cases are made the subject of correctional proceedings shall remain under their parents' authority or be detained at special establishments or in alternative homes, or that other arrangements as laid down herein shall be adopted for them.

84. In this connection, the detainment of minors is one example of the authorities' approach to prostitution, since under-age females have to be kept at special rehabilitation establishments, which in actual fact constitute a form of imprisonment and, rather than rehabilitate them, serve to exacerbate their situation.

85. The articles of the Penal Code that refer to prostitution and to the traffic in women have been amended by Law No. 104/90, and the penalties for pimping, particularly in the case of minors, have been increased, as can be seen from the articles reproduced below.

86. Article 4. Article 322 of the Penal Code is amended to read as follows:

87. A procurer who aids or abets corruption for the satisfaction of another person's sexual desires shall be liable to:

1. Between three and six years' imprisonment if the victim is under 12 years of age;

2. Between two and four years' imprisonment if the victim is over 12 and under 15 years of age;

3. Between two and three years' imprisonment if the victim is over 15 but under 20 years of age.

88. These penalties shall be increased by one half if the offender was guilty of enticement or deception, or acted for money or any other lucrative advantage, or was entrusted with the guardianship, supervision or custody of the victim, whether or not in a de facto capacity.

89. Article 5: Article 323 of the Penal Code is amended to read as follows:

90. Anyone who abets prostitution or corruption shall be liable to one half of the penalties laid down in the foregoing article, even if acting with the person's consent.

91. The same sentence shall be imposed on anyone who maintains or operates a house of prostitution or knowingly supports or contributes to the

financing of any such house, or who knowingly leases or rents a building or other premises or any part thereof for the exploitation of the prostitution of others.

92. Article 7. The trade or traffic in or transfer of women of full age from one country to another for the purposes of prostitution, even with their consent, and any hiring or recruitment for such purposes, shall be penalized by between four and eight years' imprisonment.

In the case of under-age females, the penalty shall be doubled.

Article 7

Participation in public and political life

States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right:

(a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;

(b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;

(c) To participate in non-governmental organizations and associations concerned with the public and political life of the country.

Participation in political life

93. In 1961, the political rights of women were established on equal terms with those of men. There is no legal discrimination on the grounds of sex in the political field and, as has been stated above under articles 1-4, this is the only sphere in which affirmative action is statutorily provided for (article 34, subparagraph (p), of the Electoral Code). Women are entitled to vote and be elected, regardless of marital status. In this connection, the National Constitution stipulates the following:

94. Article 112. Paraguayans who have reached the age of 18 years shall have the right to vote, with no distinction as to sex.

95. Article 31. Citizenship shall be acquired:

1. By persons possessing Paraguayan nationality by birth: from the age of 18 years; and

2. By persons possessing Paraguayan nationality through naturalization: two years after obtaining such nationality, provided that they are over 18 years of age.

96. This equality under the law still does not mean equality of opportunity or real equality, since the reasons for women's marginalization in the political sphere are historical and cultural. Women have been excluded from decision-making posts not only in the government and political parties but also in trade unions and professional associations. However, since the process of democratization began, some changes, albeit few, have been taking place in this regard.

Constituent power

97. In the course of its history, Paraguay has had four Constitutions, and women were first involved in their formulation in the 1967 National Constituent Convention, for which 79 members were elected from the National Republican or Colorado Party (ANR), 29 from the Radical Liberal Party (PLR), eight from the Liberal Party (PL) and three from the Febrerista Revolutionary Party. Out of these 129 delegates to the Convention, there were only two women, both from ANR. In other words, women constituted a mere 1.5 per cent of those who participated in the drafting of the Constitution currently in force

98. The end of the dictatorship of General Alfredo Stroessner made it necessary to amend the existing Constitution. The sessions of the National Constituent Convention were formally begun on 30 December 1991, its members having been chosen in free and democratic elections on 1 December 1991. Out of a total of 198 Convention members, there were 21 women (10.6 per cent). Of ANR's 123 delegates, 11 were women (9 per cent); the Authentic Radical Liberal Party (PLRA) had seven women among its 54 delegates (13 per cent), and the party "Constitution for All" (Constitución para Todos) had three women among its 19 delegates (16 per cent).

99. Among the alternate delegates there were 36 women (14 from ANR, 17 from PLRA and five from "Constitution for All"). It should be noted that ANR had only two women among its first 20 alternate names, PLRA three women among its first ten, and "Constitution for All" (CPT) one woman among its first five.

100. Average female representation in the lists of candidates for the Convention was 18 per cent of the total. This proportion fell to 11 per cent among those elected, a foreseeable consequence in view of the concentration of women's names among the alternate posts and final places on the lists.

The executive branch of government

101. No woman has ever been President of the Republic. Dr. Cynthia Prieto Conti was appointed Minister of Public Health and Social Welfare on 18 November 1989. To date, she is the only woman to hold any of the ten cabinet posts, which means that women account for 10 per cent of the total ministers with portfolios, but since there are a further three male officials with ministerial rank - the Minister without Portfolio, the head of the Technical Secretariat for Planning and the Economic Adviser to the President of the Republic - female participation on the Council of Ministers goes down to 7.6 per cent.

102. Dr. Prieto is also the only woman belonging to the Council of State. Female representation is 5 per cent within this constitutional body, which may disappear with the promulgation of the next Constitution and which already ceased to function at the beginning of the current parliamentary recess.

103. The only two women among the 20 Under-Secretaries of State were appointed in 1990. Carmen Quintana de Horak is Under-Secretary for Education and Olinda Massare de Kostianovsky Under-Secretary for Culture, both in the Ministry of Education and Religion. Women thus represent a mere 10 per cent of the Under-Secretaries of State.

104. The 16 director-general posts appearing in table 1 concerning the executive branch comprise solely those that are definitely in the third rank within the administrative apparatus of government. The five women indicated are the Director-General of Social Welfare and Personal Health in the Ministry of Public Health and Social Welfare, the Director-General of Juveniles in the Ministry of Justice and Labour, the Director-General of Tax Collection in the Ministry of Finance, and the head of the National Office for Women's Affairs in the Ministry of Justice and Labour.

Regional administration

105. Paraguay is a unitary State that is divided politically and administratively into departments. The departmental authorities are delegated representatives of the Executive (article 14 of the National Constitution). It is thus the President of the Republic who appoints the government delegates of the 19 departments into which the country is currently divided. No woman has ever been appointed to such a post in the entire history of Paraguay. Changes may come about in the short term, since the debate on decentralization is one of the major issues in the National Constituent Convention.

106. The mayors of the 206 municipalities were also appointed by the Executive. At the first direct mayoral elections in May and June 1991, 12 women and 194 men were elected; in other words, 5.8 per cent of the mayors are now women, which represents an advance on the 1990 proportion of 3 per cent.

The legislature

107. Between 1948 and 1963, the unicameral legislature established by the 1940 Political Charter was made up exclusively of men from the ANR (Colorado) party. The first semi-competitive elections, in which a minority sector of the Liberal Party took part, under that same name, were those of 1963.

108. Until the new Electoral Code was ratified in 1990, the method used for allocating seats in Parliament was the "majority with bonus" system - i.e., the party gaining a simple majority was awarded two thirds of the seats.

109. Female representation at the Parliaments elected in 1968, 1973, 1978, 1983 and 1988 has remained at between 2 and 4 per cent. Withdrawal from

the process by the Febreristas at the 1973 elections and by most of the Radical Liberal Party at the 1978 elections has not altered the level of female representation. At the time of the fall of General Stroessner's Government, there were two women Senators out of a total of 36 (i.e., 6 per cent) and a further two women figured among the 72 Deputies (i.e., 3 per cent). Overall, female participation has remained at 4 per cent.

110. The political change has not brought about any major advances in women's representation in Congress. The female component of the Parliament elected on 1 May 1989 was 5 per cent only.

The judiciary

111. No woman has ever been a member of the Supreme Court of Justice. However, it is in the judiciary that most progress has been achieved over the last decade. It was not until 1980 that a woman became a judge of first instance. That year, Myriam Peña de Ortiz was appointed as a third rota judge for labour matters. She was also the first female judge to serve in an appellate court. Since 1984 Mrs. Peña de Ortiz has been one of the three members of the appeal court for juvenile matters.

112. The 78 members of the appeal courts, election supervision tribunals and court of audit, which rank second within the judicial system, comprise seven women and 71 men - i.e., 9 per cent of the judges in the courts of second instance are women.

113. In the 47 courts of first instance located in the country's seven judicial districts, six judges are women and 41 are men. This 13 per cent female presence is to be found in the civil and commercial, labour and juvenile courts.

Department of Public Prosecution

114. In the history of Paraguay to date, no woman has occupied the post of Attorney-General of the State. With regard to the public prosecutors there is a curious situation. Alba Torres de González Riobóo has been a public prosecutor since 1950, when only two persons held such appointments, and consequently the female representation was 50 per cent. She is still today the only woman among four public prosecutors; hence the percentage of women has fallen from 50 to 25 per cent in the last 40 years.

Political parties

115. As regards female participation, there have historically been no differences among the political parties, women's representation at party decision-making level varying between 3 and 8 per cent. Within each party, there have been one or two "token" women, generally appointed to head the women's sections. The percentage differences are due to variations in the total number of members of the parties' executive bodies.

116. The Colorado Party has so far had most difficulty in incorporating women in executive posts and senior positions, and it has only one woman among

the 35 members of its Governing Council. Since 1988, the percentage of female party executives in PLRA has been increasing. In 1988 it was 13 per cent, falling to 10 per cent in 1989 and rising to 20 per cent in 1991. In the Christian Democratic Party (PDC), there have been greater fluctuations, from 13 per cent in 1988 to 30 per cent in 1989 and 9 per cent in 1991, while the level of female participation on the National Executive Committee of the Febrerista Revolutionary Party (PRF) is 4 per cent.

117. The popular Democratic Movement (MDP), which was formed towards the end of the dictatorship and has now become the Popular Democratic Party (PDP), has maintained a 33 per cent level of female representation on its National Council from its beginnings up to the present day. The Workers' Party (PT), founded and recognized in 1989, is the only party to have a female chairperson, and 36 per cent of its Central Committee members are women.

118. None of these parties managed to gain 1 per cent of the votes in any constituency in the municipal elections of 26 May 1991, in which they put forward candidates for the first time, nor did PDC win any seats on any municipal council.

119. The relationship between the sex distribution of the party membership and the number of men and women serving on the parties' executive bodies is not known. No party has any gender-specific data, and only PLRA and PT have reliable lists of active party members.

120. This is a favourable moment for the formation of new political organizations. Independent groups have offered candidates in some 90 municipalities. One of them successfully contested the mayorship of Asunción and one third of its municipal council candidates were women. However, an analysis of the composition of the governing bodies of the new groups is not possible, since they are not yet well structured organizations. Some of them appear capable of continuity, and this would enrich the party system and make it possible for the manifold interests within the society to be represented in the political system, something that is fundamental to democratic stability.

121. In Paraguay there are in all 402 trade unions, of which 295 are affiliated to the three existing labour federations and 107 are independent. The picture of trade unionism altered significantly between 1987 and 1991. In 1987, there were 215 unions with 20,838 members. There has been a significant shift in government policies towards trade unions since the process of democratization began, and instead of persecution and non-recognition there is now a policy of legalizing all labour unions and a genuine possibility for them to exercise the right of association and the right to strike. However, no official statistics on trade-union membership are available owing to serious inadequacies in record-keeping in the Ministry of Justice and Labour. All data on this topic have been taken from the trade-union directory in the Documentation and Study Centre, a source also used by officials of the Under-Secretariat for Labour of the Ministry of Justice and Labour.

122. The Unified Federation of Workers (CUT) was founded in August 1989. Its predecessor, the Inter-Union Workers' Movement (MIT), was set up in 1985 to bring together those labour organizations that had no political party affiliation. CUT combines 117 trade unions, of which 93 are company unions, 17 are trade guilds and 7 are self-employed (non-wage-earning) or independent workers' associations. It has the largest membership, totalling 26,167 (19,791 men and 6,376 women).

123. The Paraguayan Workers' Confederation (CPT) was founded in 1951, and since its beginnings has been linked to the National Republican Party. At the time of the 1958 general strike, it continued to act as the driving force between the Government and the few organized workers. It currently comprises 134 unions, of which 38 are company unions, 48 are trade guilds and 48 are self-employed workers' associations. It has 22,990 members, of whom 18,258 are men and 4,732 are women.

124. The National Workers' Federation (CNT) is affiliated to the Latin American Central of Workers (Central Latinoamericana de Trabajadores (CLAT)), of Christian-social tendency, and is made up of 44 unions, of which 20 are company unions, 18 are trade guilds and 6 are self-employed workers' associations. It has a membership of 9,630, comprising 6,605 men and 3,025 women.

125. The percentage of female trade-union members does not reflect the composition of the labour federations' executive committees, on which they are clearly under-represented. Women account for 6 per cent of the Executive Committee of CUT, 3 per cent of that of the Paraguayan Workers' Confederation and 13 per cent of that of CNT, whereas female membership of these bodies is 24, 21 and 32 per cent respectively. The only women who serve on the executive committees of CUT and the Paraguayan Workers' Confederation do so as secretaries for women's issues, while the person in charge of social affairs and the committee chairperson of CNT are women.

Organs of government

Table 1

The Executive 1991

Post	Men	Women	Total	% Men	% Women	Total
President	1	0	1	100	0	100
Ministers	12	1	13	92	8	100
Under-Secretaries	18	2	20	90	10	100
Directors-General	11	5	16	69	31	100
Council of State	19	1	20	95	5	100

Source: CDE based on data supplied by the Office of the President of the Republic and on inquiries with Ministries.

Table 2

Regional administration 1991

	Men	Women	Total	% Men	% Women	Total
Government delegates	18	0	18	100	0	100
Totals	18	0	18	100	0	100

Source: CDE, based on data supplied by the Ministry of the Interior.

Table 3

Municipal administration 1990

	Men	Women	Total	% Men	% Women	Total
Mayors	193	6	199	97	3	100
Totals	193	6	199	97	3	100

Source: CDE based on inquiries with IDM.

Table 4

Municipal administration 1991

	Men	Women	Total	% Men	% Women	Total
Mayors	194	12	206	94	6	100
Totals	194	12	206	94	6	100

Source: CDE.

Table 5

The legislature 1988

Chamber	Men	Women	Total	% Men	% Women	Total
Senators	34	2	36	94	6	100
Deputies	70	2	72	97	3	100
Totals	104	4	108	96	4	100

Source: CDE.

Table 6

The legislature 1989-1993

Chamber	Men	Women	Total	% Men	% Women	Total
Senators	34	2	36	94	6	100
Deputies	69	3	72	96	4	100
Totals	103	5	108	95	5	100

Source: CDE.

Table 7

Composition of Congress by political party 1989-1993

Party	Senators						Deputies					
	M	%	W	%	T	%	M	%	W	%	T	%
ANR	23	96	1	4	24	100	47	98	1	2	48	100
PLRA	10	91	1	9	11	100	19	90	2	10	21	100
PRF	1	100	0	0	1	100	2	100	0	0	1	100
PLR	0	0	0	0	0	0	1	100	0	0	1	100

Table 8

The judiciary 1991

Post	Men	Women	Total	% Men	% Women	Total
Supreme Court of Justice	5	0	5	100	0	100
Appeal Court	71	7	78	91	9	100
Judges of First Instance	41	6	47	87	13	100
Totals	117	13	130	90	10	100

Source: CDE, based on data supplied by the Supreme Court of Justice.

Table 9

Department of Public Prosecution

	Men	Women	Total	% Men	% Women	Total
Attorney-General of the State	1	0	1	100	0	100
Public prosecutors	3	1	4	75	25	100
Prosecution officers	28	11	39	72	28	100
Totals	33	12	45	73	27	100

Source: CDE, based on data supplied by the Supreme Court of Justice.

Table 10

Political parties 1988

Party	Men	Women	Total	% Men	% Women	Total
ANR Governing Council	33	2	35	94	6	100
PL Executive board	30	0	30	100	0	100
PLR Executive board, Lezcano Sector	29	1	30	97	3	100
PLR Executive board, Yore Sector	29	1	30	97	3	100
PLRA Executive board	26	4	30	87	13	100
PDC National council	13	2	15	87	13	100
MDP National council	10	5	15	67	33	100
PRF National executive committee	23	2	25	92	8	100
Totals	193	17	210	97	8	100

Source: CDE inquiries with the political party organization secretaries, 1988.

Table 11

Political parties 1989

Party	Men	Women	Total	% Men	% Women	Total
ANR Governing Council	34	1	35	97	3	100
PLR Executive board	28	2	30	93	7	100
PLRA Executive board	27	3	30	90	10	100
PDC National council	16	7	23	70	30	100
PRF National executive committee	22	3	25	88	12	100
Totals	127	16	143	89	11	100

Source: CDE inquiries with the political parties.

Table 12

Political parties 1989

Party	Men	Women	Total	% Men	% Women	Total
ANR Governing Council	34	1	35	97	3	100
PLRA Executive board	36	9	45	80	20	100
PDC National council	21	2	23	91	9	100
PT Central committee	9	5	14	64	36	100
PDP National council	8	4	12	67	33	100
PRF National executive committee	24	1	25	96	4	100
Totals	132	22	154	86	14	100

Source: CDE inquiries with the political parties.

Table 13

Trade unions by type of organization and federation affiliation, number of organizations and members

Type	Number of organizations	Men	Women	Total
CPT	38	4,823	776	5,599
CUT member unions	93	10,100	1,825	11,925
CNT	20	1,309	166	1,475
Independent company unions	66	6,115	1,674	7,789
Subtotal	217	22,347	4,441	26,788
CPT	48	11,001	3,578	14,579
CUT member unions	17	6,409	1,852	8,261
CNT	18	4,704	2,039	6,743
Independent trade guilds	14	7,347	240	7,587
Subtotal	97	29,461	7,709	37,170
CPT	48	2,434	378	2,812
CUT member unions	7	3,282	2,699	5,981
CNT	6	592	820	1,412
Independent self-employed associations	27	805	168	973
Subtotal	88	7,113	4,605	11,178
CPT	134	18,258	4,732	22,990
CUT member unions	117	19,791	6,376	26,167
CNT	44	6,605	3,025	9,630
Total independent unions	107	14,267	2,082	16,349
Subtotals	402	58,921	16,215	75,136

Source: CDE Trade-Union Census, 1990.

Article 8

Participation of women in the international representation of the State

States Parties shall take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations.

126. There are no legal restrictions on women's holding posts as government representatives or their participation in international organizations. The relatively low level of participation - i.e., 25.5 per cent of all posts and no participation at the two top levels - stems from historical and cultural causes. The only restricted post is that of military attaché, since women may not opt for careers in the armed forces.

127. As can be seen from table 1, only 26.1 per cent of embassy personnel are female, and women do not hold any posts as ambassadors or ministers at embassies. The highest office held by a woman is that of Counsellor, representing 7.7 per cent of the total, followed by First Secretary (33.3 per cent).

128. The ratio pattern (namely, the higher the rank, the smaller the participation of women and vice versa) is reversed as from Second Secretary, since 50 per cent of second secretaries, 63.6 per cent of attachés and 52.9 per cent of embassy officials are women.

129. With regard to the Paraguayan consular service, three quarters (75 per cent) of the posts are held by men, except in the case of military attachés, where the figure is 100 per cent.

Table 1

Paraguayan diplomatic corps by post held and sex

Post	Men		Women		Total	
	Number	Percentage	Number	Percentage	Number	Percentage
1. Ambassador	25	100.0	-	-	25	100.0
2. Minister	2	100.0	-	-	2	100.0
3. Counsellor	12	92.3	1	7.7	13	100.0
4. First Secretary	16	66.7	8	33.3	24	100.0
5. Second Secretary	5	50.0	5	50.0	10	100.0
6. Attaché	4	36.4	7	63.6	11	100.0
7. Embassy official	8	47.1	9	52.9	17	100.0
8. Military attaché	13	100.0	-	-	13	100.0
Total	85	73.9	30	26.1	115	100.0

Note: Ambassadors include one alternate representative with the rank of ambassador, and attachés include two honorary attachés.

Source: CDE, based on data supplied by the Paraguayan Ministry of Foreign Affairs.

Table 2

Paraguayan consular service personnel by sex

Sex	Number	Percentage
1. Men	87	75.0
2. Women	29	25.0
Total	116	100.0

Note: Figures include consuls, vice-consuls, honorary consuls, etc.

Source: CDE, based on data supplied by the Paraguayan Ministry of Foreign Affairs.

Article 9

Issues relating to nationality

Women are to have equal rights with men to acquire, change or retain their nationality and the nationality of their children. In particular, marriage to an alien is not automatically to affect the nationality of the wife.

130. There is no discrimination in Paraguay with regard to nationality. The equal treatment of men and women is guaranteed by the National Constitution under the articles reproduced below.

131. Article 24. The following are natural-born Paraguayan nationals:

(1) Persons born within the territory of the Republic;

(2) Children of a natural-born Paraguayan national who are born in foreign territory while their father or mother is employed in the service of the Republic; and

(3) Children of a natural-born Paraguayan national who are born in foreign territory, if they take up permanent residence in the Republic, provided they have not exercised rights or complied with obligations inherent in the citizenship of their country of birth.

132. Article 25. The following shall acquire Paraguayan nationality by naturalization, with the sole requisite that they express their wish to be Paraguayans:

(1) Children born in foreign territory to a Paraguayan mother or father, if they take up permenent residence in the Republic, even if they have complied with obligations inherent in the citizenship of their country of birth; and

(2) Children whose parents are foreign nationals and who are born abroad while their father or mother is employed in the service of the Republic, provided such children take up permanent residence in the national territory.

133. Article 30. Neither marriage nor its dissolution shall alter the nationality of the spouses or that of their children.

Article 10

Equality in the field of education

Women are to be granted equal rights with men in the field of education in order to ensure to them, in particular: career and vocational guidance; access to curricula, examinations, qualified teaching staff and school premises and equipment of standard level; participation in education and in the review of textbooks in order to eliminate any stereotyped concepts; the awarding of

scholarships and study grants; access to programmes of continuing education, including literacy programmes; the reduction of female student drop-out rates; the same opportunities to participate actively in sports and physical education; access to educational information to help to ensure the health and well-being of families, including advice on family planning.

134. The Paraguayan education system, which is directed and administered by the Ministry of Education and Religion, is structured on the following levels: pre-primary, primary, secondary and post-secondary.

135. Pre-primary facilities comprise kindergartens and pre-school centres for children of five to six years old. Attendance at these establishments is for one year in each case. Their prime purpose is to provide a basic preparation and foundation for entry to the next level of schooling.

136. The primary level spans a six-year period of study from the first to the sixth grades, and covers the age range from seven to 12 years. Its central objective focuses on the acquisition of skills and knowledge that will allow access to and involvement in culture.

137. The secondary level spans a six-year period from the first to the sixth grades, and covers an approximate age range from 13 to 18 years. This level is divided into two cycles, the basic cycle and the upper cycle, each lasting for a period of three years. The basic cycle provides the legal qualification for entry to the upper cycle through the awarding of a diploma, and offers vocational training courses in technical, basic occupational and agricultural skills. The upper cycle offers the following courses of study: science and the humanities, commerce, technology and agronomy, any one of which will entitle students to pursue their studies at the post-secondary level, which comprises the university and teacher-training systems. University curricula extend over a period varying between four and seven years, and cover an age range from 19 to 24 years. The teacher-training system provides training for primary, secondary and specialist teachers, and each of the courses of study offered lasts two years.

138. The internal restructuring of the agricultural and livestock sectors has led to a decline in the small-scale farming economy and to insufficient capacity to absorb the increase in population and influx of rural women of employable age into the labour force. It should also be pointed out that women are remaining in the labour force for longer periods, as is reflected in the considerable migration of women to urban centres. The migratory flow has centred on the informal labour market of Asunción and more recently on Ciudad del Este (formerly Puerto Presidente Stroessner), a bustling town on the border with Brazil. The migration to Argentina is a traditional process of long standing that has varied according to fluctuations in the economies of the two countries (Corvalán, 1989).

139. Since there are no formal restrictions of a legal, social or cultural nature affecting the equal access of men and women to education, no measures of any kind are required to ensure such access. Restrictions of a practical nature arise when a family's financial situation forces a

choice as to who is educated first and for a longer period. It is invariably the male who is chosen, even though the statistics of the Ministry of Education and Religion on primary education show that, in 1989, female enrolment was 49 per cent of the entire school population, and in rural areas the percentage enrolment for boys was the same as for girls. However, rural women remain within the education system for shorter periods; they migrate to urban centres, mainly in order to study, in most cases on reaching adolescence or later.

140. In general, State primary and secondary schools are coeducational. Only a few private schools whose intake is from the middle and high-income sectors are single-sex establishments. At the coeducational schools, there are no differences as regards curricula, teaching staff or infrastructure.

141. Sexism within the education system is reflected rather in school activities, the seating of male and female pupils in the classroom and, most of all, in textbooks and study materials. One clear example of discrimination arises during sex education lessons. When the female reproductive organs are to be taught, the boys are taken out of class, and vice versa in the case of the male genitalia.

142. The participation of both sexes in sports and physical education is culturally acceptable although, because of the nature of the socialization process, these activities are "naturally" engaged in separately by the sexes, as a result of the interests of the pupils themselves. Also, no differences arise in connection with teaching on family life, including family planning.

Illiteracy

143. It is evident that female illiteracy levels have been falling since the 1960s, although they are still higher than illiteracy rates among males, as can be seen from the breakdown given below.

144. However, it should be born in mind that the education system has become far more complex, with various university-type institutions and non-university and quasi-university establishments now operating at the post-secondary level, all of which demand the upper-cycle education diploma or an equivalent qualification as their admission requirement.

145. University institutions are responsible for imparting training and instruction in the liberal arts and traditional sciences (National Law No. 828 of 1980).

146. Their internal operation and organization are defined by specific statutes and regulations, in accordance with the provisions of the law. A further important feature of the university system is the coordination existing between the courses of study offered, which, through the recognition of subject passes, enables students to transfer from one course to another, either within the same university or between universities. There are currently two universities in the country: the National University of Asunción (UNA) and the Catholic University of

Nuestra Señora de la Asunción (UC). The former is a State institution and the latter a private establishment under the aegis of the Paraguayan Episcopal Conference.

147. Since 1989, the year when the Stroessner dictatorship was overthrown, small private universities have begun to appear, but these are still not very significant.

148. The considerable expansion of the education system in Paraguay has not been accompanied by curricular changes, owing to the country's slow rate of economic growth since the onset of the recession in the early 1980s. The promising achievements of the 1970s remain as museum pieces, having undergone no changes in curriculum to take account of economic and social developments. The issues of most concern to us are women's increased access to and continuation within the education system, and the lack of an educational policy that addresses teaching content and the occupational needs of the rural and working-class urban sectors (Corvalán, 1989).

149. In this regard we believe that, although the school curriculum is not adapted to the requirements of the rural communities, it has been consistent with the previous Government's ideology, which emphasized "certification" of the system's efficiency in quantitative terms, as shown by primary and secondary school entry and leaving statistics.

150. The rural female labour force is conditioned by the school curriculum to take up unskilled jobs in the urban sector. Indeed, the disparity in the quality of education received - types of school in urban and rural areas for example - is evident primarily in the relationship between curriculum quality and content on the one hand and the needs of the rural labour force on the other. Centralization of the system, non-differentiation of the curriculum and a marked disparity in the quality of education depending on socio-geographical sector mean that young rural women of high educational level view the urban sector as an alternative offering the most opportunity for entry into the labour market and, in view of the quality of the instruction they have received, take up employment that requires low levels of skill and that naturally offers low pay and low prestige.

Illiterate population by sex (in percentages)

	1962	1972	1982
Male	9.8	15.6	19.1
Female	30.3	23.1	22.9

Source: 1962, 1972 and 1982 National Population and Housing Censuses, Directorate-General for Statistics and Censuses.

151. According to age-group data, the illiterate female population in 1982 was 15.2 per cent in the 15-24 range, 32 per cent in the 25-44 range and 39 per cent in the 45 plus range; thus, the older the population the higher the illiteracy rate. The reduction in illiteracy among women is due primarily to greatly increased educational provision in the rural sector, improved channels of communication (roads, mass media, etc.) with urban centres and opportunities for migration, which have resulted in a general narrowing of the gap between supply and demand in education for women.

152. The 1992 census will be most useful for showing the impact of the efforts made by women's groups to heighten awareness regarding the importance of women's role in society and thus of their access to and continuation within the formal education system.

153. The geographical breakdown by urban and rural localities for the 1982 census year reveals an illiteracy rate of 28.4 per cent among rural women as against 26.4 per cent among rural men. The difference between the sexes is greater in urban areas: illiterate females 14 per cent and illiterate males 10 per cent.

154. The indigenous community is, as in other Latin American countries with an aboriginal population, the social sector that displays the highest illiteracy levels for both sexes: females 71.2 per cent and males 60.8 per cent of the total indigenous population in 1981.

155. According to the statistics of the Ministry of Education and Religion, primary and secondary enrolment figures and pass rates show no discrimination, as can be seen from the breakdown below:

Total enrolment at primary level

	1985	1989	1990
Male	52%	51%	50%
Female	48%	49%	50%

Source: Ministry of Education and Religion, 1989 and 1990 Yearbooks.

156. Indeed, female enrolment can be seen to have slightly gained ground by 1990. The most significant differences are to be found in final-exam pass rates generally throughout the education system.

Final-exam passes - primary level

	1985	1989	1990
Male	54%	53%	51%
Female	46%	47%	49%

Source: Ministry of Education and Religion, 1989 and 1990 Yearbooks.

157. As can be seen, there has been a fall in percentage passes among boys and an increase among girls.

158. This trend is more accentuated in secondary-school pass rates.

Final-exam passes - secondary level

	1985	1989	1990
Male	50%	45%	43%
Female	50%	55%	57%

Source: Ministry of Education and Religion, 1989 and 1990 Yearbooks.

159. The continuation of female pupils within the education system up to completion of the secondary level in recent years is clearly evident, the final pass rate in 1985 having been 50 per cent for both sexes.

160. Both young men and young women who have dropped out of school after completing the three-year basic cycle at the secondary level have the option of entering technical and vocational training institutes. These civilian and military establishments operate both in Asunción and in the interior of the country. In general, their intake consists mainly of male students. For example, out of the 125 women students who enrolled at the agricultural colleges in the interior of the country, only 36 graduated in 1989.

161. In Asunción, the total female enrolment/graduation ratio at institutions of this type for that same year was 31.0 per cent.

162. Young women who have completed neither of the formal education cycles usually take short, informal courses in such fields as hairdressing, garment-making, handicrafts, manicuring, etc.

163. Those from low-income backgrounds undergo training with a view to early entry into domestic employment or, in other cases, to becoming housewives.

Schooling irregularities

164. Trends in educational attainment show no significant differences between females and males, with the exception of the higher repetition levels among sixth-grade male students in 1985, which contrasts with the absence of this irregularity among female pupils, as can be seen from the breakdown below.

Sixth grade

Year	Drop-out		Repetition		Advancement	
	Males	Females	Males	Females	Males	Females
1985	6.7	3.6	3.3	0.0	88.7	89.3
1989	6.2	3.2	-	-	90.6	90.3

Source: Ministry of Education and Religion, Education Planning Department, 1990.

165. Whereas 80 per cent of first-grade female pupils advanced to the next grade in 1989, the percentage advancement in the sixth grade for the same year was 90.3 per cent; obviously, the figures relate to separate cohorts.

166. A further important schooling irregularity indicator is a comparison of school entry age between the sexes. With the normal age for enrolment in the first grade considered to be seven years, the percentage of first-grade pupils over this age in 1988 was: males 28.4 per cent, females 26.3 per cent. A considerable over-age difference was found in the sixth grade: males 31.3 per cent and females 3.4 per cent. The ratio is reversed in the case of under-seven-year-olds (females 59 per cent and males 31.3 per cent) and also in the final grade at the primary level.

Data on adult education and literacy training enrolment by gender have been compiled up to 1987 only, and no age-specific data exist for any year. The breakdown is as follows:

	1985	1987
Men	65%	66%
Women	35%	34%

Source: Ministry of Education and Religion, 1985 and 1987 Statistical Yearbooks.

167. The high preponderance of males is due partly to the fact that approximately 11 per cent of adult education and literacy training is at military and police units. The other reason is that this is normally the period in a woman's life cycle when she is most taken up with her reproductive roles, a situation that is clearly reflected in the percentages.

168. Although it is true that the male university population continues to be larger than the female one, the latter increased from 37 per cent in 1972 to 41 per cent a decade later. This rising trend continued, the level reached in 1988 being 45.3 per cent against 55 per cent for male university enrolment.

Bilingualism

169. In Paraguay, the widespread phenomenon of bilingualism cannot be regarded as an indicator of ethnic difference. The characteristics of the racial mixing process, with the early merging of the indigenous and Spanish populations giving rise to a society that is relatively homogeneous in its demographic, cultural and racial features, etc., and where the native tongue (Guarani) and Spanish are both used nationwide, distinguish Paraguayan bilingualism from that found in other Latin American cultures.

170. Guarani is the mother tongue of the rural and working-class urban sectors of the population. It is when children start school that Spanish is learned, since formal education is conducted in that language. Consequently, depending on the level of schooling attained and the rurality factor of the place of residence, inhabitants become bilingual - with greater or lesser fluency - or remain monolingual.

171. As a result of the situation, the largest segment of the Paraguayan population is bilingual (49 per cent), followed by the portion that speaks Guarani only (40 per cent). The group speaking only Spanish is the smallest (7 per cent). The foreign communities (Brazilians, Germans, Japanese, Koreans, etc.), which to some extent retain their original language, account for approximately 5 per cent of the total population. A breakdown by socio-geographical area reveals that, in the rural sector, the monolingual Guarani-speaking population accounts for 60.25 per cent of the total, and the inhabitants with any level of bilingualism make up 31 per cent; in urban localities, 15 per cent of inhabitants are monolingual Guarani-speakers, 71 per cent are bilingual and 13 per cent speak Spanish only (Corvalán, 1989).

172. The education system has always had to face the major challenge of educating a people whose socio-linguistic culture brings two languages (one standard and the other indigenous) into contact i.e., Spanish and Guarani - and where, in 1982, 88.3 per cent of the total population spoke Guarani as their first or second language.

The breakdown by sex, place of residence and language habitually spoken is as follows:

Language	Rural		Urban	
	Male	Female	Male	Female
Guarani only	59%	60%	13%	15%
Spanish and Guarani	33%	32%	72%	72%
Spanish only	2%	1%	13%	11%
Other	6%	7%	2%	2%

Source: 1982 Population and Housing Census.

173. As can be seen, there is still considerable Guarani monolingualism in the rural sector, among both men and women. More reliable and realistic figures will not be available until the next census (1992).

174. The previous census contained serious errors and should be treated with caution.

Teaching

175. As part of school administration, teaching was an aspect that in the past attracted the interest of educational research. However, it was examined as one component of the system and not on the basis of its gender-related characteristics. References to teaching as the "natural" and best occupation for a woman were always present. However, gender-specifics and their relationship with education were not explored. Consequently, although many public-sector surveys have been made of teachers and the various forms of education (vocational, adult, pre-school, primary, etc.), in none of these have women been considered in terms of gender. Not even the educational statistics include a teacher category breakdown by sex. This makes it difficult to analyse the distribution of male and female teachers. Any one teacher, whether a man or a woman, may hold more than one post.

176. The statistics of the Ministry of Education and Religion do not give details of primary or secondary teaching posts by sex. The most approximate indicator is teacher-training enrolment by sex at the post-secondary level, which shows a marked preponderance of women: 85 per cent in 1990, a percentage that had been maintained since at least 1986. In secondary education, female teacher-training enrolment for 1990 was 79 per cent.

177. The high preponderance of women teachers at the primary and secondary levels falls sharply at the university level, where women account for just 13 per cent of the total lecturing staff, the subjects most taught by them being philosophy (40 per cent), dentistry (29 per cent) and chemistry (20.4 per cent) (1987 Statistical Yearbook).

178. The most approximate gender-specific information on the teaching profession is that provided by research carried out in 1974 into primary-school teachers nationwide. Although the data are now 15 years old, we feel it would be enlightening to reproduce those parts of the total of 280 pages that discuss the gender breakdown of the survey sample. Thus we read that the most salient feature of primary-school teaching staff is the predominance of women, approximately 92 per cent of the teacher sample surveyed. Presumably, this phenomenon is found throughout the primary-level teaching body, a fact that could be supported by the educational statistics if the information included individual data not only on teaching posts but also on age, sex, marital status, etc. The distribution of service-sector occupations by sex constitutes one of the differentiating characteristics within global social systems.

179. A feature of modern Western societies, whose family structure is based on a patriarchal model, is the practice whereby unpaid "domestic" activities, chiefly involving the care of the home and children, are reserved for the adult female members and the "professional" tasks are reserved for the adult male members. These two levels of role characterization determine the total status possessed by both sexes within the family structure and in society as a whole. Men's occupations determine their social standing, and a woman's status is subordinated to the man's, thereby creating a form of functional interdependence between general global stratification, occupational structure and family structure.

180. Although it is true that there is a strong predominance of women in education (91.8 per cent), it is interesting to note the small increase in the male group if the breakdown is by area. Thus, whereas 5.1 per cent of teachers in the urban sector are men, the figure rises to 13.5 per cent in rural areas. This is the extent of the observations on the situation regarding women teachers. It should be pointed out that this research was conducted in 1974, one year after commencement of the Itaipú dam construction work, which became a factor attracting teachers, particularly females, to the rural schools (Corvalán, 1990).

181. Teaching had long been the only possible occupational activity "befitting" a woman, irrespective of her social class. The essential requirement was total submission to ministerial instructions based on fear, this being the only practical way of silencing the expression of public opinion, the teaching sector being the most affected.

182. With the approach of the Itaipú dam construction era and post-era, interest in teaching declined. The meagre salaries of schoolmistresses, compared with the very high pay of secretaries and service personnel, together with the terms of employment offered by the Binacional de Itaipú, induced women teachers to seek jobs in commerce.

183. At the same time, there was an increase in the number of high-school graduates teaching in the interior of the country, most of whom came from semi-urban backgrounds and viewed primary teaching as a temporary work phase before pursuing their studies at the post-secondary level. The disparity in the quality of education, in terms of socio-geographical area and type of school, is clearly related to a major decline in the standard of training of teachers working in rural areas.

184. Apart from description of how the figures break down, there are no analyses or even hypotheses on gender specifics of the teachers in the studies and surveys. Both men and women have been regarded as "elements" of the system and viewed purely as numbers and a starting-point for discussing women's participation in the education system (Corvalán, 1990).

185. The Institute of Further Education became virtually a "parapolitical" centre under the previous regime. The requirement of allegiance to Stroessnerism and the constant pressure to participate in party political activities became mechanisms for the brainwashing of teachers and led to a marked impoverishment of the teaching profession in Paraguay, where submissiveness and lack of creativity in teachers' language and classroom activities were always the common denominator.

186. In view of the poverty of the working-class and rural sectors, the lack of dedication on the part of teachers proved to be a considerable restriction to pupils' acquisition of knowledge.

187. The devaluation of the teaching profession as a career is apparent from Paraguay's general expenditure budget and the amounts earmarked for teachers' pay. Primary teachers earned US$ 74 a month, rising to US$ 1,550, which was the salary of a primary head teacher; supervisors earned US$ 213 a month. These were the rewards for teaching one class group, plus the endless task of marking exercise books, preparing lessons, filling in registers, etc. It was not until 1992 that teachers earned a minimum salary per class group (US$ 174). Such an inadequate situation can only attract the least qualified and those who use teaching as a means of supplementing the family income. The traditional vocation of teaching is now something that only our elders talk of.

188. Only university teaching retains a certain level of prestige, although this varies greatly depending not only on the course of study or subject, but also on lecturers' career progression. Since there is no system of full-time lectureships, efforts are spread over different lecturing posts, and in many cases there is no congruence between educational content and the teacher's professional activities.

189. The extremely active Organization of Education Workers in Paraguay (OTEP) combines a group of active members who, during the dark years of the dictatorship, courageously fought for teachers' rights through publications and, in particular, by heightening awareness levels among the teaching body; as a result a teachers' union has recently been formed (Corvalán, 1990).

190. At the university level, the gender difference is very noticeable in such courses as philosophy, psychology, media studies and education, where female student enrolment is 76.4 per cent, and also in dentistry and chemistry, where it is 77.4 and 77.3 per cent respectively. By contrast, courses regarded as typically masculine are science and technology (engineering, architecture, informatics and computer studies), where women account for 39 per cent of total numbers enrolled, as well as agronomy and veterinary medicine, where they represent 19.1 per cent, and economics, with 39.5 per cent (ECLAC, Lc/10.39).

191. Between 1985 and 1988, there were no variations in the percentage of women graduating from the post-secondary education system - i.e., 47 per cent of the total - or any significant differences between the sexes in traditional courses, apart from medicine, where 35 per cent of graduates in 1985 were women, rising to 50 per cent in 1988.

192. Until 1982, women in Latin America opted for traditionally "feminine" courses of study.

193. However, this did not occur to the same extent in Paraguay since, of all women university graduates for that year, only 32.2 per cent graduated in traditionally feminine subjects. Within this total, 10.1 per cent were students of nursing and 14.3 per cent of pharmacy. It should be pointed out that the low proportion of graduates in education (29 per cent)

arises from the fact that unlike in other Latin American countries, a university degree is not a specific requirement to pursue a career as a primary- or secondary-school teacher in Paraguay; teacher-training takes place at institutions of higher education but not at university level (Corvalán, 1990).

194. Also, for 1982, the percentage of women out of all graduates in law was 36.6 per cent, in medicine 43.1 per cent, in economics 27.3 per cent, and in business administration 43.1 per cent.

195. Since that year the definite trend has been for women to enrol in increasing numbers for courses traditionally regarded as masculine. Indeed, this increase has been spectacular in some courses and in total female enrolment figures. The breakdown of male and female graduates in the ten main subjects is as follows:

Paraguay, 1982

Subject	Women	Subject	Men
Accountancy	15.32	Accountancy	18.74
Pharmacy	9.71	Law	12.99
Management	8.09	Management	11.51
Medicine	7.35	Medicine	10.44
Law	6.97	Agronomy	9.37
Notarial profession	4.73	Civil engineering	4.82
Biochemistry	4.61	Veterinary medicine	4.69
Nursing	4.11	Architecture	3.48
Architecture	3.86	Basic electronics	3.35
Psychology	3.61	Economics	3.21

Source: Eulalia de Conde, OAS Statistical Bulletin, Vol. 8, No. 34 (1986).

196. Professional women university graduates face major obstacles in the traditionally male-oriented employment market and frequently have to demonstrate greater proficiency than men. This situation is most noticeable in the rural sector, where patriarchism is far more prevalent, as can be seen, for example, in the remarks made by a female agricultural engineer - who in addition is young - with regard to her work with farmers: "Sometimes they ask you things they already know, just to check that you know them too. They ask you if you know how many tomato plants can be grown in a hectare, something they have known since they were born" (Corvalán, 1990).

Article 11

Equality of men and women in employment

Measures are to be adopted to eliminate discrimination against women in the field of employment and to ensure to

them: the right to work; the right to the same employment opportunities as men; the right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training; the right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work; the right to social security; the right to protection of health and to safety in working conditions. In order to prevent discrimination against women on the grounds of marriage or maternity, States Parties are to take appropriate measures: to prohibit dismissal on the grounds of pregnancy, maternity leave or marital status; to introduce maternity leave with pay or with comparable social benefits without loss of employment, seniority or social allowances; to encourage the provision of social services, in particular through a network of child-care facilities, to enable parents to combine family obligations with work responsibilities; to provide special protection to women during pregnancy in types of work proved to be harmful to them.

1. Total population and active population of Paraguay

197. In 1982, the number of males and females in Paraguay was the same. As can be seen from table 1, 50.2 per cent of the total population in that year was male and 49.8 per cent was female. This means that the gender-based differences observed in connection with employment are due to economic, political and cultural causes and not to a percentage preponderance of either sex.

198. The distribution of the active population by sex is 49.8 per cent males and 50.2 per cent females, the percentages thus being practically equal (i.e., half and half by sex). These data are given in table 2.

199. It can also be seen from table 2 that the active population constitutes 66.6 per cent of the total population and the active female population 33.4 per cent of the total population.

200. Finally, with regard to female age groups within the total active population, as shown in table 3, it can be seen that:

(a) Women aged 12-14 represent 5.5 per cent of the total active population.

(b) Women aged 15-24 represent 15.5 per cent of the total active population.

(c) Women aged 25-44 represent 17.1 per cent of the total active population.

(d) Women aged 45 years and over represent 12.1 per cent of the total active population.

201. In other words, the intermediate age groups (15-24 and 25-44) account for the largest percentage, although they are closely followed by the oldest group (45 years and over).

2. Economically active population (EAP) and population not economically active (PNEA)

202. According to the data in table 4, it can be seen that more men than women are active in the labour force. Thus 78.8 per cent of men are included in the "employed" category, whereas less than one fourth of all women (19.8 per cent) are employed.

203. Also apparent from this table is the higher percentage of women in the population not economically active (79.6 per cent), the percentage of men in this category being 16.4 per cent only.

204. Finally, the great majority of women included in the population not economically active (81.7 per cent) fall into the category "women engaged in housework" - i.e., they are engaged in activities that do not generate any financial income (see table 5).

3. Female employment

205. In this section we will consider which professions and occupations are preferred by women and which are not. Our analysis will be based on variables such as occupation, job category, education, etc.

3.1 Female employment by occupation

206. Under this heading, we will consider female employment by occupation within the employed EAP.

207. First of all, according to table 6, there is a higher percentage of males than of females in all occupations at the national level, which is in line with the fact that there are more employed men than employed women.

208. Nevertheless, the percentage differences in some occupations are not very large, and the levels of female employment in the following occupations can be said to be very low: farmers and breeders of livestock, drivers and the like, operatives and labourers, and managers-administrators (the percentage of women employed in such occupations being 5.0, 0.6, 6.8 and 18.4 per cent respectively).

209. By contrast, there is a higher proportion of women than men (56.8 and 43.2 per cent respectively) among service workers, this being the only employment category where the percentage of females exceeds that of males. Also, almost half the persons engaged in professional and technical occupations are women (49.4 per cent).

210. Finally, the percentages of women employed as office employees and as commercial or sales personnel are not insignificant (36.9 and 39.9 per cent respectively).

211. Furthermore, if we analyse table 7, which shows the employed EAP in the metropolitan area of Asunción (i.e., Paraguay's most urban zone, for which the statistics are more up to date than the 1982 census figures), we find that female employment levels are again low in the above-mentioned occupations (managers and administrators, farmers and breeders of livestock, drivers, and operatives-labourers).

212. Among service workers also, women (71.8 per cent) again outnumber men, exceeding the percentage found at the national level, probably because there are more waitresses and domestic employees in the metropolitan area.

213. Just over half the professional and technical personnel in the metropolitan area are female (51.2 per cent), which is higher than the percentage of males employed in such occupations at the national level. Finally, the percentages of female office workers and commercial/sales personnel (44.6 and 47.1 per cent respectively) are close to the corresponding figures for males, and exceed the percentages found at the national level. This is probably because there are more commercial establishments in the metropolitan area, it is the country's administrative centre, and more self-employed women selling foodstuffs and other articles are to be found there.

214. To summarize the two tables, the levels of female employment in the following occupations are low: operatives-labourers, drivers, farmers and breeders of livestock and managers-administrators. The highest rates of female employment are found in the following occupations: service employees, professional and technical personnel, office workers and commercial/sales personnel; also, the more urban the area, the greater the percentage of women engaged in the latter occupations.

3.2 Female employment by job category (status)

215. According to table 8, there is a higher percentage of men than women in all job categories at the national level, which is to be expected since there are more employed males than employed females. The percentage of men in each job category far exceeds that of women, except among non-manual public- and private-sector workers, where women account for a little over one fourth - i.e., 32.1 and 37.7 per cent respectively.

216. These findings differ significantly from the figures relating to the metropolitan area of Asunción (table 9). In this area, the percentage of independent female workers exceeds that of independent male workers (55.5 and 44.5 per cent respectively). Furthermore, 100 per cent of domestic employees are female, this being the only type of occupation engaged in exclusively by women.

217. However, the proportions of women employed in the non-manual public- and private-sector worker categories are again sizeable, at 38.9 and 40.5 per cent respectively, and exceed the percentages found at the national level.

218. To summarize, higher levels of female employment are found in this most urban area of the country in some occupations. However, in high-status job categories (managers and employers), the percentage of women is very

small. Furthermore, the low-ranking and poorly-paid occupation of domestic service accounts for 25.5 per cent of the employed female EAP in the metropolitan area.

219. Employment in the Paraguayan armed forces is prohibited to women, whether as officers or as ordinary soldiers (women are debarred from military service). This is a profession to which women are denied access by law.

4. Female employment remuneration

4.1. Female remuneration by occupation (table 10)

220. Although the Labour Code expressly lays down that men and women must receive equal pay for equal work, it is found that in all occupations men earn more than women. Furthermore, except in the "other artisans" and "operatives and labourers" categories, these differences in pay are considerable. Indeed, in all other occupations, men's earnings exceed those of women by percentages varying between 40.8 and 55.8 per cent - i.e., men earn 40.8 to 55.8 per cent more than women. It is only among the first-mentioned categories ("other artisans" and "operatives and labourers") that these differences are not so large, since men's earnings exceed women's by just 3.0 and 5.4 per cent respectively.

221. In this section and the following one, we will examine incomes in the metropolitan area of Asunción only, since we do not have any nationwide data.

4.2 Female remuneration by job category (table 11)

222. Again, men earn more than women in all job categories, domestic service being disregarded since in this occupation only women are employed.

223. According to the survey findings, the smallest differences are found in the "employer" and "manual worker" categories, where men earn 13.7 and 19.4 per cent respectively more than women.

224. The percentages are higher in the other categories, in which men earn between 31.2 and 48.3 per cent more than women.

Table 1

Total population of Paraguay by sex, 1982

Sex	Number	Percentage
Male	1,521,409	50.2
Female	1,508,421	49.8
Total	3,029,830	100.0

Source: CDE, based on the 1982 National Population and Housing Census.

Table 2

Active population of Paraguay (persons aged 12 years and above) by sex, 1982

Sex	Number	Percentage
Male	1,005,396	49.8
Female	1,011,746	50.2
Total	2,017,142	100.0

(a) Percentage of active population in relation to total population: 66.6 per cent.

(b) Percentage of active female population in relation to total population: 33.4 per cent.

Source: CDE, based on the 1982 National Population and Housing Census.

Table 3

Active population of Paraguay by sex and female age groups, 1982

	Females					
Age	12-14	15-24	25-44	45 and over	Males	Total
Number	109,706	313,126	345,488	243,426	1,005,396	2,017,142
Percentage	5.5	15.5	17.1	12.1	49.8	100

Source: CDE, based on the 1982 National Population and Housing Census.

Table 4

Economically active population (EAP) and population not economically active (PNEA) by sex, 1982

Sex	EAP			PNEA	Not declared
	Total	Employed	Unemployed		
Males					
Number	1,005,396	791,866	42,442	164,876	6,212
Percentage	100	78.8	4.2	16.4	0.6
Females					
Number	1,011,746	199,998	4,952	805,189	1,607
Percentage	100	19.8	0.5	79.6	0.1

Source: CDE, based on the 1982 National Population and Housing Census.

Table 5

Female population not economically active by classification, 1982

Classification	Number	Percentage
1. Women engaged in housework	657,963	81.7
2. Students	124,976	15.5
3. Retired persons	3,356	0.4
4. Persons of independent means	2,504	0.3
5. Persons unable to work	16,390	2.1
Total	805,189	100.0

Source: CDE, based on the 1982 National Population and Housing Census.

Table 6

Employed economically active population by sex and occupation, 1982 (in percentages)

Occupation	Men	Women	Total
1. Professional and technical	50.6	49.4	100.0
2. Managers-administrators	81.6	18.4	100.0
3. Office employees	63.1	36.9	100.0
4. Commercial/sales personnel	61.0	39.0	100.0
5. Farmers, stock-breeders, etc.	95.0	5.0	100.0
6. Drivers and the like	99.4	0.6	100.0
7. Artisans	78.2	21.8	100.0
8. Operatives and labourers	93.2	6.8	100.0
9. Service workers	43.2	56.8	100.0
10. Seeking work for the first time	86.2	13.8	100.0
11. Not specified	79.8	20.2	100.0

Source: CDE, based on the 1982 National Population and Housing Census.

Table 7

Employed economically active population by sex and occupation in the metropolitan area of Asunción, 1990 (in percentages)

Occupation	Men	Women	Total
1. Professional and technical	48.8	51.2	100.0
2. Managers-administrators	83.9	16.1	100.0
3. Office employees	55.4	44.6	100.0
4. Commercial/sales personnel	52.9	47.1	100.0
5. Farmers, stock-breeders, etc.	89.3	10.7	100.0
6. Drivers and the like	100.0	-	100.0
7. Artisans	77.5	22.5	100.0
8. Other artisans	82.8	17.2	100.0
9. Operatives and labourers	95.0	5.0	100.0
10. Service workers	28.2	71.8	100.0

Remarks: In 1990, this area had 1,156,806 inhabitants. The metropolitan area of Asunción comprises the capital, Asunción, and its surrounding districts: Lambaré, Fdo. de la Mora, Villa Elisa, Luque, Roque Alonso, Limpio, San Lorenzo, Ñemby, San Antonio and Villa Hayes. It is the country's most urban area.

Source: CDE, based on the 1990 Household (Workforce) Survey.

Table 8

Employed economically active population by sex and job category, 1982 (in percentages)

Category	Men	Women	Total
1. Employer	84.4	15.6	100.0
2. Independent worker	84.8	15.2	100.0
3. Non-manual public-sector worker	67.9	32.1	100.0
4. Non-manual private-sector worker	62.3	37.7	100.0
5. Manual worker	90.0	10.0	100.0
6. Unpaid family worker	88.8	11.2	100.0
7. Seeking work for the first time	86.2	13.8	100.0
8. Not specified	49.6	50.4	100.0

Source: CDE, based on the 1982 National Population and Housing Census.

Table 9

Employed economically active population by sex and job category in the metropolitan area of Asunción, 1990 (in percentages)

Category	Men	Women	Total
1. Employer	89.2	10.8	100.0
2. Independent worker	44.5	55.5	100.0
3. Non-manual public-sector worker	61.1	38.9	100.0
4. Non-manual private-sector worker	59.5	40.5	100.0
5. Manual worker	83.8	16.2	100.0
6. Unpaid family worker	75.5	24.5	100.0
7. Domestic employee	-	100.0	100.0

Remarks: There are 50,946 women employed in domestic service in the metropolitan area, who account for 25.5 per cent of that area's employed female EAP.

Source: CDE, based on the 1990 Household (Workforce) Survey.

Table 10

Average monthly income (in thousands of guaraníes) by sex and occupation in the metropolitan area of Asunción, 1990

Occupation	Average monthly income			
	Men	Women	Absolute difference	Percentage difference
1. Professional and technical	477.9	247.4	+230.5	48.2
2. Managers-administrators	722.1	319.4	+402.7	55.8
3. Office employees	389.0	218.6	+170.4	43.8
4. Commercial personnel	365.8	216.4	+149.4	40.8
5. Farmers, stock-breeders, etc.	290.2	171.0	+119.2	41.1
6. Drivers and the like	244.0	-	+244.0	-
7. Artisans	240.7	122.7	+118.0	49.0
8. Other artisans	193.4	187.6	+5.8	3.0
9. Operatives and labourers	156.6	148.2	+8.4	5.4
10. Service workers	224.6	121.0	+103.6	46.1

Source: CDE, based on the 1990 Household (Workforce) Survey.

Table 11

Average monthly income (in thousands of guaraníes) by sex and job category in the metropolitan area of Asunción, 1990

Job category	Average monthly income			
	Men	Women	Absolute difference	Percentage difference
1. Employer	596.1	514.6	+81.5	13.7
2. Independent worker	324.8	174.7	+150.1	46.2
3. Non-manual public-sector worker	380.4	196.7	+183.7	48.3
4. Non-manual private-sector employee	323.6	222.5	+101.1	31.2
5. Manual worker	172.2	138.8	+33.4	19.4
6. Domestic employee	-	113.7	-113.7	-

Source: CDE, based on the 1990 Household (Workforce) Survey.

Remarks

Some working definitions:

The terms and definitions used in the sources from which the data were obtained are set out below.

Active population: persons aged 12 years and above within the total population.

Economically active population: persons aged 12 years and above who at the time of the census were "employed" or "unemployed".

(a) Employed persons are those who:

1. Were performing an occupation remunerated in cash or kind;

2. Performed an occupation, whether remunerated or not, in the production of goods or provision of services, within a business run by a member of the family;

3. Had an occupation but were temporarily not engaged in it owing to sickness, leave of absence or any other reason except permanent retirement.

(b) Unemployed persons are those who:

1. Did not have a remunerated occupation but had previously worked and were looking for new employment;

2. Were seeking work for the first time.

Population not economically active: persons aged 12 years and above in the following categories:

1. Persons who are engaged in domestic tasks, with the exception of paid domestic employees;

2. Students;

3. Retired persons, pensioners and persons of independent means;

4. Persons unable to work;

5. Others.

Occupation. The following classification has been used:

1. Professional and technical personnel: these are persons who perform work of an intellectual nature or who have undergone specialized training;

2. Managers and administrators: includes persons engaged in the management of a company, business or government agency, and members of legislative bodies;

3. Office employees: includes persons engaged in occupations such as those of accountants, inland-revenue employees, typists, clerks in government agencies, bank employees, etc.;

4. Commercial and sales personnel: includes persons engaged in the marketing of products and real estate, agents and brokers, etc.;

5. Farmers, breeders of livestock, fishers, etc.: includes persons engaged in agriculture, livestock-raising, bee-keeping, fishing, etc;

6. Drivers of means of transport: includes persons who drive motor vehicles or locomotives, boat operators, aircraft pilots, etc.;

7. Artisans: persons engaged in activities that require a period of apprenticeship, such as spinners, dyers, masons, mechanics, typographers, etc.;

8. Operatives and labourers: includes unskilled workers such as stevedores, street-cleaners, refuse-collectors, etc.;

9. Service employees: persons employed in protection services (police officers, fire-fighters, military personnel), in hotels and restaurants, in domestic and personal services, etc.

Job categories. These comprise:

1. Employer: a person owning and running a company or business and having one or more persons in his or her employ;

2. Independent worker: a person working for himself or herself and having no employees;

3. Employee (manual or non-manual worker): a person working for another person or for an enterprise or institution and receiving remuneration for his or her work in the form of a wage or salary, commissions, etc.;

4. Unpaid family worker: a family member who works in a business run by another member of the family but receives no remuneration.

6. Legal aspects of female employment

6.1 Discrimination against women under the law

225. The Labour Code contains one section that deals with women's employment and whose stipulations, as reproduced below, forbid any gender-based discrimination.

226. Article 132. In women's access to employment, no discrimination shall be allowable if the nature and conditions of the occupation entail no particular risks to women.

227. Under the terms of articles 2 and 3 of the Labour Code, as set out below, employment legislation applies to all workers, whether manual or non-manual, native citizens or foreigners. Furthermore, the rights established in the Labour Code may not be waived, compromised or limited by contract.

228. Article 2. Employed workers of all kinds, whether manual or non-manual, and their employers shall be subject to the provisions hereof. In cases where the State, municipal authorities or autonomous and independent corporations operate enterprises producing or providing public goods or services, their officials and employees shall be subject to the organizational laws of those government institutions, and any disputes shall be resolved through administrative channels.

229. Article 3. The rights hereby granted to workers may not be waived, compromised or limited by contract. Any agreement to the contrary shall be void.

The laws that establish such rights shall be binding upon and shall benefit all workers and employers of the Republic, whether native citizens or foreigners, and shall be founded on the principles contained in the Universal Declaration of Human Rights adopted and proclaimed by the United Nations General Assembly on 10 December 1948, in the American Declaration of the Rights and Duties of Man proclaimed on 2 May 1948 by the International American Conference at Bogotá, and in the International Labour Code.

230. As can be seen, employees of the State, municipal authorities and autonomous corporations are not governed by the labour laws; they are in fact subject to the Public Officials Act (Law No. 200).

231. In practice, a woman's ability to conclude a work contract is restricted by law, as shown below.

232. Article 38 of the Labour Code states that: married women's capacity to enter into contracts of employment shall be governed by the provisions of ordinary law.

233. And it is under ordinary law that married women have restricted capacity to act, by virtue of the terms of article 158, subparagraphs (a) and (b), of the Civil Code, as set out below.

234. Article 158. The agreement of both spouses shall be necessary for the woman to be able validly to undertake the following actions:

(a) To pursue a profession, trade or business in a self-employed capacity, or to engage in work outside the home;

(b) To offer her employment services;

(c) ...

235. It should be pointed out that the Civil Code Partial Amendment Bill submitted by the Paraguayan Women's Coordination Unit is now half-way

through approval by the Senate. Under its provisions, this discrimination would be eliminated.

236. The existing statutory regulations governing domestic service, which constitutes women's prime source of employment, are particularly serious. The Labour Code devotes one chapter specifically to this topic, and some of its articles are reproduced below.

237. Article 144. Domestic workers are persons of either sex who habitually and regularly provide cleaning, help and other internal services in a house or other place of residence or private dwelling or in charitable institutions that are non-profit-making for the employee.

238. Family chauffeurs are also considered to be domestic workers.

239. Article 145. The special provisions of this chapter shall not apply but rather the provisions of the contract of employment in general:

(a) To domestic workers employed in hotels, restaurants, bars, sanatoriums or other similar commercial establishments; and

(b) To domestic workers who, in addition to the work specified in the foregoing article, perform other activities connected with the trade or business carried on by their employer.

240. Although domestic workers include persons of both sexes, as can be seen from the employment breakdown by sex, such occupations are undertaken almost exclusively by women. Furthermore, these jobs are less protected than others, and this therefore constitutes a form of discrimination affecting the job-holders concerned, which is tantamount to discrimination against women. Thus domestic workers are excluded from the minimum wage rules.

241. Article 146. The provisions hereof relating to the minimum wage shall not apply to domestic workers, and the remuneration due to such workers may be adjusted by contract.

242. The obligation to provide board and lodgings for domestic workers supposedly justifies this discrimination.

243. Article 147. Unless otherwise proven, it shall be presumed that the contractually fixed remuneration of domestic workers includes the provision of meals and accommodation, in addition to the payment in cash.

244. However, for the calculation of severance pay and compensation, account is taken of the cash remuneration only.

245. Article 153. Any redundancy or compensatory payments to which domestic workers may be entitled shall be effected having regard solely to the remuneration received by such workers in cash.

246. Furthermore, they are denied the civil and religious holidays granted to other workers, as stipulated in the article below.

247. Article 149. Domestic workers shall be obliged to work on such public holidays, both civil and religious, as are fixed by law, but shall be entitled to the following rest periods:

(a) A total rest period of ten hours per day, of which at least eight shall be continuous night-time hours and two must be set aside for meals;

(b) A further rest period of at least one half-day following each working week; and

(c) Annual paid leave, as is granted to all workers.

6.2 Women's work in the home

248. Domestic work is not regarded as productive labour. It is not regulated by law and, as indicated above, census surveys include this type of work within the "population not economically active" category.

6.3 Womens' earnings

249. The Labour Code lays down that every worker must receive at least a minimum wage and that higher levels of pay may be fixed, and it prohibits discrimination on various grounds, including the sex of the worker concerned, as can be seen from the articles reproduced below.

250. Article 230. Rates of pay may not establish any form of discrimination on the basis of age, sex, nationality, religion, or political or trade-union activities.

251. Equal pay must be granted for work of the same efficiency, nature and duration.

252. Article 69. Workers shall be entitled:

...

(c) To receive equal pay for work of the same nature, efficiency and duration, with no distinction as to age, sex or nationality.

253. Article 49. The following conditions shall be rendered void and shall not be binding upon the parties to the contract, even if laid down therein:

...

(e) Any conditions that establish, on the basis of age, sex or nationality, a lower wage than that paid to another worker within the same enterprise for work of the same efficiency, in the same work category or shift.

254. However, in practice, women earn less than men, as was noted in the comparison of earnings by sex.

6.4 Social security and leave of absence

255. Under the Labour Code, the State is required, through a system of social security, to cover workers who are entitled to leave of absence. This applies to both men and women. Problems arise with the practice adopted by the Institute of Social Welfare (IPS), whereby the wife or cohabitee of an insured male member is in turn insured by him, but the husband or cohabitee of an insured female member is not insured by her in respect of medical care under article 30 of Law No. 1860 (updated by Decree-Law No. 375).

256. Every male or female insured member who has reached 60 years of age and paid a minimum of 750 weeks' contributions is entitled to an old-age pension. Male and female workers normally become eligible for retirement pensions on reaching the age of 60 years if they have completed at least 20 years' recognized service (or 55 years with 25 years of recognized service).

6.5 Paternity, maternity, infant-feeding and child-care leave

257. Paternity leave is for one day only, in accordance with the following provision of the Labour Code.

258. Article 64. Employers shall be obliged:

...

(j) To grant, at the worker's request, two days' paid leave for the purpose of celebrating marriage and one day's leave in the event of the birth of a child or the death of the spouse or a child, parent, grandparent or sibling.

259. With regard to maternity, article 129 of the Labour Code, as set out below, makes provision for women to take antenatal and post-natal leave, for which purpose they are required to present a medical certificate. The benefit payments are borne by the social security system.

260. Article 129. Every female worker shall be entitled to leave of absence from work, subject to submission of a medical certificate issued by the Institute of Social Welfare stating that the birth is likely to occur within the following six weeks and, except with a medical prescription, shall not be permitted to work for six weeks after giving birth.

261. Whilst absent on maternity leave and during any additional period between the anticipated date and the actual date of birth, a female worker shall receive medical care chargeable to the social security system as well as adequate benefit payments for herself and her child. The cost of such payments shall also be borne by the social security system.

262. During lactation, a working mother shall additionally have two half-hour work breaks in order to breast-feed her infant. These breaks shall be regarded as worked periods and shall not warrant any reduction in pay.

263. For this purpose, industrial and commercial establishments employing more than 50 women are obliged to set up crèches for children under two years of age, where they are to remain under supervision during their mothers' hours of employment. This obligation is to cease once such care facilities are provided by the social security institutions.

264. According to the last part of article 129, women are entitled, during the nursing period, to one hour's leave a day to feed their children, which is regarded as worked and therefore has to be remunerated. Furthermore, only enterprises with more than 50 female employees are required to maintain crèches for under-two-year-olds. All other enterprises are not subject to this requirement, and even those employing over 50 women are not obliged to provide day-care centres for children over two years old or for children of school age.

265. In practice, according to the 1989 household survey, only 14.6 per cent of females aged 12 years and above who are employed in the metropolitan area work for enterprises that employ more than 50 people (men and women combined); the remainder work at establishments employing fewer persons or are self-employed or domestic workers. It may thus be concluded that the number of women benefiting from crèche facilities is extremely small.

266. Furthermore, under article 130, pregnant women are protected with regard to the type of work that they may perform and also if they have become physically unfit after giving birth.

267. Article 130. During the three-month period prior to giving birth, women shall not engage in any work that requires considerable physical exertion.

268. If upon expiry of the period of leave referred to in article 129 of this Code they are in an unfit condition to resume work as a result of their pregnancy or confinement, they shall be entitled to leave of absence for as long as is essential to their recovery, and they shall retain their occupation and the rights acquired under their contract of employment.

269. The Social Security Act shall provide for the applicable medical and monetary benefits, and shall fix the maximum periods of entitlement to such rights.

270. Finally, under the law, neither maternity nor marriage may constitute grounds for dismissal, although in practice this is still a common occurrence. The relevant article is reproduced below.

271. Article 131. From the time when an employer is notified of a female worker's pregnancy by the submission of a medical certificate and for as long as that worker is entitled to maternity leave, as provided for in the foregoing articles, it shall be unlawful for her employer to serve notice of dismissal upon her during such leave of absence or in such a manner that the period stipulated in the notice of dismissal expires during such leave.

272. Dismissal by reason of marriage is similarly prohibited.

273. The above-quoted articles of the Labour Code correspond to articles 204 to 207 of the Young Persons' Code, which protect pregnant women on the same terms although, under the latter Code, the certificate of pregnancy may be supplied by the social security authorities (Institute of Social Welfare) or by the health centres administered by the Ministry of Public Health.

274. However, the penalties imposed under the Labour Code on persons failing to meet their legal obligation to provide maternity leave are mild.

275. Article 379. Employers who act in breach of the statutory provisions governing maternity leave or refuse to grant breast-feeding leave shall be fined up to 1,000 guaraníes for the first offence, and up to 2,000 guaraníes for repeated breaches, per affected worker.

6.6 Family allowance

276. Under articles 262 and 263 of the Labour Code, children below 17 years of age and all totally disabled children qualify for a monetary allowance, payable by the employer, equivalent to 5 per cent of the minimum wage.

277. Article 262. Pending the introduction of a statutory scheme of dependants' benefits under the social security system, every worker shall be entitled to receive an allowance equivalent to 5 per cent of the minimum wage for each legitimate, legitimized or recognized illegitimate child for whose upbringing and education the aforesaid worker is financially responsible.

278. Article 263. Payment of family allowance shall be subject to certain requirements, namely that the child:

(a) Is under 17 years of age (no age restriction applying if totally disabled);

(b) Is under the parental authority of the worker;

(c) Is financially dependent on the benefit claimant; and

(d) Resides within the national territory.

279. Payment of child benefit is discontinued in the following circumstances:

280. Article 264. Entitlement to family allowance shall be automatically forfeited in respect of each child failing to meet the requirements set out in the foregoing article or if the claimant's income exceeds 200 per cent of the statutory minimum wage.

281. If both parents are working, family allowance is payable in the following circumstances:

282. Article 267. If both the mother and father are working, they shall be entitled to the aforesaid benefit if the higher of the parents' wages does not exceed the limit fixed in article 264 of this Code.

283. If the parents are separated, the mother is entitled to claim the allowance in the following circumstances:

284. Article 268. In the event of separation of the spouses, the family allowance due to the husband shall be received by the wife depending on children that are in her care and custody.

6.7 Health and employment

285. In addition to articles 129 and 130 that deal with maternity, the following articles of the Labour Code lay down general rules relating to women's employment and health.

286. Article 128. Women shall further be barred from undertaking work that may constitute a risk to their life, health or morals, as specified in laws and regulations.

287. Article 49. The following conditions shall be rendered void and shall not be binding upon the parties to the contract, even if laid down therein:

...

(b) Conditions that impose dangerous or unhealthy work on women or children under 18 years of age.

288. Furthermore, under article 127 of the Labour Code, women are treated in the same way as under-age children in regard to night work.

289. Article 127. The stipulations of article 122 relating to children under 18 years of age shall be applied to night work of women over 18 years of age employed in industry, with the following exceptions:

(a) In cases of force majeure where there is an unforeseeable and non-regular business interruption within an enterprise;

(b) In cases where the work involves raw materials or products in course of manufacture that are liable to rapid deterioration, if required for the purpose of preventing an inevitable loss; and

(c) In the case of women who hold managerial or specialist posts of responsibility, or of women employees in the health or social-welfare services who do not normally carry out manual work.

290. In addition, women may not work overtime according to article 204.

291. Article 204. For women and males over 12 but under 18 years of age, overtime shall in no circumstances be permitted.

292. The Directorate for the Social Advancement of Working Women, attached to the Ministry of Justice and Labour, was set up under Decree No. 17161 with the aim of preventing employment discrimination against women. Its achievements and resources have been very limited to date although, from a legal viewpoint, its functions, as set out in article 2, are extremely important. They are:

(a) To undertake action of all kinds aimed at the comprehensive training of working women;

(b) To ensure that the laws dealing with women's employment are complied with and that women's employment is not subject to discriminatory practices;

(c) To publicize any laws that are concerned with working women;

(d) To conduct studies into the training and use of female labour.

Article 12

Protection of women in the field of health

The necessary measures are to be adopted to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health-care services, including those related to family planning.

Women are to have access to appropriate services in connection with pregnancy, confinement and the post-natal period, free services being provided where necessary, as well as adequate nutrition during pregnancy and lactation.

293. The global fertility rate in Paraguay for the period 1985-1990 was 4.7 children per woman, having fallen from the 1950-1955 level of 6.8 children per woman. However, an analysis by geographical area reveals major differences, which are even more pronounced when different levels of educational attainment are compared. Thus, the fertility rate in the urban sector is 3.6 children per woman and in the rural sector 6.1. For the period 1985-1990, the rate among women who have had no schooling is 6.7 children per woman and among women educated to the post-secondary level it is 3.2.

294. In Paraguay, 45 per cent of births are to women aged between 20 and 29 years. The fertility rate among the adolescent high-risk group for the period 1985-1990 shows an appreciable fall, of between 0.28 and 0.29 per cent (FLACSO, 1991).

Mortality and sickness

295. In 1980, the mortality rate for males exceeded that for females in all age groups (males 9.0 and females 7.5 for the country as a whole). With the exception of the 40- to 59-year-old range for the 1970-1980 period, in which there was a positive increase of 11.36 per cent in the case of males, mortality trends among the other age groups have reflected population patterns generally.

296. The maternal mortality rate fell significantly between 1962 and 1989 (from 3.9 to 1.6 per cent). In 1989, haemorrhaging during pregnancy or confinement was the main cause of maternal mortality, at 0.5 per cent, although this rate has fallen somewhat since 1962, when it was 1.1 per cent for the 15-44 age range.

297. An analysis by age group shows the main cause of death to be accidents (22 per cent) in the 15-24 age group, and obstetrical complications (21.4 per cent) in the 25-44 age group, the proportion of deaths from tumours being 16 per cent. The high incidence of tumours (of the breast and womb) among women aged between 45 and 65 years clearly indicates a lack of education and information about malignant tumours that are detectable in their early stages. The main cause of death among both men and women of over 45 years is coronary disease.

298. For 1988, as in previous years, general trends in sickness rates by type of illness were as follows: 20 per cent influenza, 19.1 per cent parasitic diseases, etc.

299. With regard to maternal and child care, in 1987, 5 per cent of births, primarily to rural women, were unattended. It should be borne in mind that there is considerable under-registration. For example, according to one study (CEPEP, 1990), the extent of antenatal care in 1989 was 59 per cent, the recipients being for the most part educated urban women. The higher the level of education, the greater the pre-birth care: women educated to secondary level 84 per cent and to post-secondary level 94 per cent (FLACSO, 1991).

300. The level of care prior to and during confinement varies according to socio-geographical area, since treatment may be administered by professional physicians or obstetricians or, in rural areas, by midwives with no formal training.

301. Paraguay is a country with a high maternal mortality rate. For the period 1980-1989 there were 1.6 deaths per thousand live births. Between 1980 and 1985, 27 per cent of births were to women whose pregnancies are classified as "high risk", i.e. women under 20 or over 35 years of age, the latter group having the highest annual birth rates.

Infant mortality

302. There has been a downward trend in infant mortality over the last 30 years: 92.7 deaths per thousand live births in 1990, falling to 31.6 per thousand live-born infants in 1989. Differences are also found between infant mortality in the capital of the Republic (Asunción) and in the interior of the country: 31.7 in the urban sector, and 38.2 in the rural sector, per thousand live births. The mortality breakdown by sex is as follows:

Infant mortality (rates per thousand live births)

Sex	Less than 1 year	Between 1 and 4 years	Less than 5 years
Male	38.4	9.6	46.9
Female	31.9	11.9	42.6

Source: Paraguayan Centre for Population Studies (CEPEP), 1991

303. In general, there are more male deaths than female deaths among infants but not between the ages of one and four years, for which we have no medical or social explanation.

The causes of death among infants of less than one year are as follows:

Sickness	Male	Female
Perinatal disorders	31.4%	26.0%
Intestinal disorders	21.1%	21.5%
Respiratory disorders	12.6%	14.6%

Source: Paraguayan Centre for Population Studies (CEPEP), 1991

The causes of death among children aged between one and four years are as follows:

Cause	Male	Female
Intestinal disorders	38.5%	31.3%
Respiratory disorders	16.4%	21.0%
Malnutrition	5.8%	4.5%
Accidents	7.6%	4.5%

Source: Pan American Health Organization, Washington, 1990.

304. The "undetermined symptoms" category is where the figures are most concentrated: males 15 per cent and females 17 per cent. These statistics do not allow us to infer any actual differences in health care between the sexes.

Birth control

305. There is growing pressure, particularly from the feminist groups, for family planning services to be made part of primary public health care, so much so that, in the present discussions on reforms to the National Constitution, women are demanding the inclusion, as a basic right, of the free and informed decision of couples on the number and spacing of their children.

306. There are no legal or cultural barriers to women's access to family planning and/or care services. Even the distribution of contraceptive products, albeit on a limited scale, is viewed as normal.

307. However, through force of habit, a woman would consult her partner before seeking medical attention.

308. Abortion is illegal, and no official abortion statistics exist. The issue is not even discussed at the public level. Female circumcision is not practised.

309. In Paraguay, 95 per cent of women are aware of one or more methods of birth control, and 43 per cent of currently married or cohabiting women use some form of contraceptive device, although there is some disparity according to geographical location: 57 per cent in urban areas and 33 per cent in rural areas. Among women of child-bearing age, there is a 20 per cent shortfall in the provision of family-planning needs.

310. According to research findings, the contraceptive pill was the method most mentioned (90 per cent), followed by injection (84.4 per cent) and intra-uterine devices (IUDs) (77.4 per cent). As regards use, 35.2 per cent of those surveyed indicated "any modern methods"; of these, the pill (13.6 per cent) and female sterilization (7.4 per cent) were the most used. Some 9 per cent indicated that they employed traditional methods, "withdrawal" (3 per cent) being the most common.

311. Among the high-risk female age groups (15-19 years and 45 years and over), the use of any contraceptive method is lower than in all the other age groups. We also find that the proportions of urban and rural women who do not use any form of contraception differ significantly: 43.2 and 61.3 per cent respectively. Needless to say, the level of education also has a major effect on use. Indeed, of those women who do not use any method of contraception, the proportion with no formal schooling is as high as 72 per cent.

312. According to the 1982 census figures, the monolingual Guarani-speaking segment of the population is the most fertile (6.7 children), followed by the bilingual segment (4 children). Concern about the size of rural and working-class urban families is due primarily to the shortage of land in the countryside and of accommodation in the urban centres. Also, it is known that "the size of rural families, as subjects of survival strategies, is impacted by the resources and alternatives that they offer in their dual function of producers of goods and/or generators of labour".

313. Life expectancy rose from 68.08 to 69.53 years between the periods 1975-1980 and 1985-1990 in the case of females, and from 64.05 to 65.15 years between the same periods in the case of males. The anticipated figures for the period 1995-2000 are 70 years for women and 65.5 for men, the projected increase for the entire population being from 66.05 to 67.70 years over four decades.

314. Public health provision is inadequate. As regards hospital infrastructure, for example, a regressive trend is in evidence, the number of beds for every 1,000 inhabitants having fallen from 2.2 in 1957 to 2.0 in 1967 and to 1.0 in 1987.

315. The facilities, professional and other medical personnel and auxiliary services of the extremely precarious public-health system are in general available to both men and women.

316. Careers in welfare work and nursing have still not been adequately developed in our country. According to statistics for 1985, there were 0.75 nurses to every 10,000 inhabitants in Paraguay, a very low ratio when compared with other Latin American countries (Canese, 1989).

317. In that same year, there were only 112 social welfare visitors in Paraguay, equivalent to a ratio of 0.34 per 10,000 inhabitants, which falls far short of the nation's total needs.

318. We do not have any comparative statistics on medical and health personnel, although it is clear that, at least for our own country, fewer women than men are employed in this field.

319. No women pursued careers in medicine in Paraguay in the period from 1903 to 1909, when the first medical students graduated at the country's Faculty of Medicine. Since the Faculty reopened following a period of closure between 1910 and 1918, women's percentage representation has gradually increased as the decades passed, and eventually, in 1988, reached parity for the first time with the proportion of male doctors, as can be seen from the table below.

Percentage breakdown of physicians by sex and decade

Decade	Male (Percentage)	Female (Percentage)
1903-1909	100	-
1924-1930	92.7	7.3
1933-1940	89.7	10.3
1941-1950	88.3	11.7
1951-1960	85.1	14.9
1961-1970	82.9	17.1
1971-1980	70.1	29.9
1981-1988	58.4	41.6
1988	50.0	50.0

Source: Arquímedes Canese, Enfoques de Mujer, No. 17.

Article 13

Elimination of discrimination against women in other areas of economic and social life

Women are to have, on a basis of equality with men, the right to family benefits, the right to obtain bank loans, mortgages and other forms of financial credit, and the right to participate in recreational activities, sports and all aspects of cultural life.

320. It is only married women who face obstacles when applying for loans, mortgages, etc., since they require their husband's permission or, in his absence, the suppletory authorization of a judge. (See the references to the Civil Code under articles 15 and 16.)

Article 14

Status of rural women

> Account is to be taken of the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families, including their work in the non-monetized sectors of the economy. They are consequently to be ensured the right: to participate in the elaboration and implementation of development planning at all levels; to have access to adequate health care facilities, including information, counselling and services in family planning; to benefit directly from social security programmes; to obtain all types of training and education, including training to increase their technical proficiency; to organize self-help groups and cooperatives in order to obtain equal access to economic opportunities; to participate in all community activities; to have access to credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes; to enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.

321. Throughout the world - and our country is no exception - rural women constitute a vital force within the development processes. Women are an essential part of the agricultural workforce, their contribution to the GDP is between 35 and 45 per cent, and they produce over half the food of the entire planet. Nevertheless, more than 500 million rural women are poor. It is in fact estimated that their number has increased by 50 per cent over the last 20 years and now exceeds that of men.

322. According to United Nations statistics, some 90 per cent of rural women in developing countries obtain their sustenance from the land. It is they who are the main providers of water and fuelwood and who are responsible for their families' health. They also play a prominent role in the preservation of the environment.

323. The poverty affecting most rural women means that they face numerous obstacles to acquiring better living standards. This situation needs to be tackled with specific public policies and strategies aimed at achieving gender equality, reducing poverty and providing equal access to the benefits of development.

324. In our country, much still needs to be done in favour of rural women. There follows a general outline of their current status, the programmes implemented during 1991 for the direct benefit of women, and the measures still required to change their situation of discrimination.

I. POPULATION DISTRIBUTION

325. According to estimates supplied by the Directorate-General for Statistics, Censuses and Surveys, the country's total population for 1991 was estimated at 4,397,306 inhabitants, of whom 2,116,303 were estimated to be living in urban areas and 2,281,003 in rural areas. The male/female population split was estimated at 2,226,276 males and 2,170,630 females.

326. The above-named institution does not yet have any gender-disaggregated population data by area, but we can refer to projections made by CELADE (the Latin American Statistical Centre), which estimated that the rural female population for the five-year period 1990-1995 would be approximately 1,331,211 (CELADE, 1986).

II. SOCIO-ECONOMIC DATA ON RURAL WOMEN

1. Education

327. According to the population and housing censuses conducted in the country in 1962, 1972 and 1982, illiteracy rates over the last decades were higher among females than among males.

328. In the rural communities, high levels of illiteracy still prevail among both sexes, and the male/female differences found there vary only slightly from those observed in urban areas. According to the latest census, the total rural illiteracy rate was 28.9 per cent, the urban rate being 13.3 per cent. The illiterate female population segment in the rural areas is 28.4 per cent compared with 13.5 per cent in the urban areas. These statistics are taken from the 1982 census. We do not have more up-to-date data available. The latest yearbook published by the Ministry of Education and Religion, which gives a statistical report on educational developments, contains no breakdown of illiteracy rates by sex and area.

329. Within the formal education system, there are no externally visible signs of any discrimination in women's access to education, since school intake levels are fairly similar for both sexes. According to the latest data produced by the Ministry of Education and Religion, the number of males enrolled over the country as a whole in 1990 was 355,530 and the number of females 331,801. Enrolment numbers for the rural sector were 201,526 males and 180,339 females.

330. Male and female secondary-school enrolment figures for the whole country were 79,894 and 81,871 respectively, of which 9,789 males and 8,711 females were rural-sector pupils.

331. Preliminary data on total enrolment by sex for 1991 have been obtained from the Planning Directorate of the Ministry of Education and Religion.

The figures supplied are as follows:

Primary enrolment

Total primary	760,871
Total males	391,727
Total females	368,727

Secondary enrolment

Total secondary	166,108
Total males	79,732
Total females	86,376

332. Although Paraguay does not figure among those countries whose educational development is grossly inadequate, there is a generally held view that Paraguayan education is experiencing one of its most crucial phases at all levels and in all aspects.

2. Health

333. The state of health of the nation, and hence of rural women, is conditioned by the socio-economic, cultural, educational and employment situation, etc. The Paraguayan Ministry of Public Health does not possess any specific information regarding the health of rural women. Prominence is given to everything connected with maternity, as if that were the sole cause of ill health and death among women.

334. The countryside areas in general and rural women in particular have no access to health services. There are a variety of reasons: scant health-care coverage, health policies that are out of keeping with reality, low budget allocation to rural areas, lack of basic facilities at health centres, human resources concentrated in the capital city, etc.

335. The extent of social-security coverage in Paraguay is 14 per cent. It is estimated that some 30 per cent of the population do not have access to health services, a situation that is particularly acute in rural areas. Close on 70 per cent of the health system's human resources are to be found in the capital, Asunción, yet only 25 per cent of the population live there.

(a) Maternal mortality

336. Between 1974 and 1990, the maternal mortality rate fell by 72 per cent, and the levels have remained virtually constant over the last few years.

The recorded rate for 1990, according to Ministry of Public Health statistics, was 15.4 per 10,000 live births.

337. The limited provision of antenatal care and institutionalized birth facilities, together with public ignorance of high-risk factors in maternity, late demand for assistance, poor standards of curative treatment and weaknesses in the referral system, all contribute to the high levels of maternal mortality in Paraguay.

338. There is considerable variation at the regional level, ranging from areas with a very high maternal mortality rate, such as Health Region XII (Canendiyú), where the level is 46.6 per 10,000 live births, and Health Region X (Department of Amambay), where it is 45.9, to areas with relatively low rates, such as Health Region IV (Concepción) at 3.4 per 10,000. Out of the 15 health regions into which the country is divided, nine indicate numbers of maternal deaths in excess of the national average, and only one region, Health Region V (which covers the Central Department), shows figures that are considered acceptable.

Paraguay
Maternal mortality rates by region
Rates per 10,000 live births, 1990

Health region	Department	Rate
I	Cordillera	20.4
II	Guairá-Caazapá	21.9
III	Itapúa	20.0
IV	Concepción	5.0
V	Central	3.4
VI	Caaguazú	10.3
VII	Misiones	9.4
VIII	Chaco Paraguayo	14.3
IX	Alto Paraná	21.5
X	Amambay	45.9
XI	San Pedro	26.8
XII	Canendiyú	46.6
XIII	Paraguarí	8.9
XIV	Asunción-Lambaré Fdo. de la Mora Mariano R. Alonso	20.0
XV.	Ñeembucú	17.3
TOTAL		15.4

Source: Biostatistical Department of the Ministry of Public Health and Social Welfare, 1991.

(b) Infant mortality

339. In 1987, diarrhoeic disorders ceased to be the prime cause of infant deaths, since which time the major cause of infant mortality has been attributed to birth-related injuries (asphyxia, hypoxia and traumatism), which in 1990 accounted for 5.3 deaths per 1,000 live births.

340. Diarrhoea now ranks second, with a rate of 4.3 per 1,000 live births, and pneumonia third, with a rate of 3.8 per 1,000.

341. The disparity in rates among the regions is very noticeable. Indeed, eight of the 15 health regions into which the country is split show levels in excess of the national average, which for 1990 was estimated at 30.8 per cent. The figures range from areas with high infant mortality rates, such as Health Region X (Amambay) with 48.2 per 1,000 live births, to areas with fairly acceptable rates, such as Health Region I (Cordillera) with 37.8 per 1,000, Caaguazú with 27.9, and the Central Department (Region V) with 16.8.

Paraguay
Infant mortality
Rates per 1,000 live births, 1974, 1984 and 1990

Cause	1974	1984	1990
Diarrhoea	17.8%	7.0%	4.3%
Pneumonia	13.6%	6.3%	3.8%
Birth-related injuries	8.5%	6.9%	5.3%
Tetanus	2.7%	1.2%	0.5%
Prematurity	5.7%	2.4%	2.1%
Infections of the newly born	1.4%	2.8%	4.1%
Other and undetermined	31.8%	22.1%	31.3%
TOTAL	86.9%	49.8%	31.4%

Source: Biostatistical Department of the Ministry of Public Health and Social Welfare.

Paraguay
Infant mortality by health region
Rates per 1,000 live births, 1990

Health region	Rate
I	37.8
II	32.8
III	36.7
IV	19.7
V	16.8
VI	27.9
VII	35.6
VIII	15.8
IX	47.9
X	48.2
XI	26.4
XII	30.8
XIII	18.6
XIV	41.8
XV	19.0
TOTAL	30.8

Source: Biostatistical Department of the Ministry of Public Health and Social Welfare.

(c) Fertility

342. Mortality and fertility patterns in Paraguay have been similar to those of most other Latin-American countries. Beginning in the early part of this century there was a slow yet continual fall in mortality levels, this trend becoming more pronounced from the 1950s onwards. It is estimated that fairly high fertility levels continued until the mid-1960s, with overall rates of around seven children per woman. From that time onwards, there was a slow decline to just below five children per woman in the 1980s. By Latin American standards, the current fertility level may be regarded as moderate.

343. The table below shows life expectancy at birth and the global and net fertility rates estimated for the five-year periods 1950-1955 and 1980-1985, and projected for the period 2010-2025.

Paraguay
Fertility and mortality figures calculated for 1950-55 and 1980-85, and projected for 2020-25

	1950-1955	1980-1985	2020-2025
Global fertility rate	6.83	4.82	3.10
Net fertility rate	6.15	4.49	2.96
Life expectancy at birth	64.66	68.57	72.21

Source: Directorate-General for Statistics and Censuses, Asunción, October 1986; quoted in Ricardo Neupert's article "Las etapas del ciclo de vida familiar de la mujer en el Paraguay" ("Stages in the family life cycle of women in Paraguay"), Revista Paraguaya de Sociología, No. 78, May-August 1990.

344. It should be pointed out that fertility levels vary significantly according to area of residence. Thus, the fertility rate for the late 1970s and early 1980s has been estimated at approximately 3.5 children per woman overall and at 6.5 in rural areas. It should be noted, however, that the decline in fertility levels has occurred among both the urban and the rural population, although the speed of decline has been greater in urban than in rural areas.

345. Recent studies show that most young couples in Paraguay no longer wish to have a large number of children. Also, a high level of unfulfilled demand for family-planning services has been observed among women wishing to space or limit the number of their children (Carrón, 1990). It may be said that the family-planning needs of 20 per cent of married or cohabiting women (one in every five) are not being met, if one considers that the absolute number of women requiring but not using family-planning services is estimated at 160,100 nationwide. These are women aged over 40 years, living in rural areas (Northern and Central regions) and having had five years' schooling or less (Melián, Mercedes, 1991). The Paraguayan Government does not currently provide such services at its health centres and clinics.

3. Economically active rural female population

346. The various studies that exist on Paraguay's agrarian situation contain little about the extent of women's participation in the economically active rural population (rural EAP) which, for agricultural census purposes, means the rural population aged 10 years and over temporarily or permanently engaged in farming or livestock-raising activities on their own premises or having regular jobs away from their own premises, whether in agriculture, the service industry, commerce or manufacturing.

347. The rural EAP breakdown by sex is 59 per cent males to 41 per cent females. A little over 70 per cent of the active rural population work permanently in agriculture, 18 per cent do so occasionally, and 11 per cent work permanently away from their own premises (Zarza, Olga. 1991).

348. Of the entire EAP engaged in farming occupations on an occasional basis and in off-premises occupations on a regular basis, women account for a higher proportion than men. However, if we consider solely the relative breakdown of active women, those who regularly engage in off-premises occupations make up the smallest proportion (16 per cent) and those who perform agricultural tasks on their own farms, whether regularly or temporarily, constitute 84 per cent of the economically active rural female population.

349. According to Olga Zarza's above-mentioned study, which gives an overview of the economically active population broken down by occupation type and frequency, out of 107,309 economically active women working in agriculture on a permanent basis nationwide, the highest concentration is found in the Department of Itapúa (23 per cent), followed by Caaguazú (18 per cent) and Concepción (15 per cent), the lowest concentration being in Guairá (9 per cent). By contrast, the majority of economically active rural women pursuing regular employment away from their own premises are found in Cordillera (21 per cent).

4. Work performed by women

350. Rural women participate in agricultural labour on an equal basis with men, both at the family level and in the rural economy. They perform virtually all the tasks comprised within the farming cycle, and their presence at the various stages increases or diminishes according to crop type, family life-cycle phase and their own position in the home. Women are involved to a greater or lesser extent in each activity depending on local traditions, type of crop, socio-demographic features of the household and technology used.

351. Contrary to the generalized belief that women's participation is restricted to the tasks of harvesting/gathering, storing and processing, they are present throughout the farming process, in both cash-crop and subsistence production, in some regions more than in others, and in some tasks to a greater extent.

352. In the most modernized regions, the phase at which women's participation is at its highest is that of preparing the land, particularly for cash crops (soya beans and cotton). As regards subsistence farming, female participation is predominant in all phases except preparation of the land. Vegetable-garden cultivation, however, is the entire responsibility of the woman, from preparing the ground to final harvesting.

353. Female participation patterns in agricultural activities depend primarily on the family's main source of income. In households where farming is the essential activity, 69 per cent of women participate in a whole series of tasks that do not require great physical exertion. The proportion falls to 57 per cent among households where farming is only an ancillary pursuit. Women's main area of contribution is harvesting; the extent of their participation in sowing is 57 per cent, in hoeing 51 per cent and in packing 45 per cent.

354. Women's involvement in agricultural labour also varies according to type of crop. It has been observed that they are involved mostly in the cultivation of basic subsistence crops such as beans, tobacco and cotton, to a lesser extent in the cultivation of such items as cassava, maize and tung, and least of all in sugar-cane and bitter-orange production.

355. Female participation levels are very high in the country's livestock region and northern axis, at between 72 and 78 per cent, falling to 66 per cent in the small-scale farming region and still further, to 64 per cent, as one reaches Itapúa.

356. The tending of farmyard animals such as pigs, chickens, goats, sheep, ducks, etc., is virtually the exclusive responsibility of the woman. Men's participation in these tasks is in the area of sanitation.

357. However, the contribution made by women is not limited solely and exclusively to farming and livestock-raising. Many other activities are performed by them, both within and outside the home.

358. The main tasks carried out in the home are as follows ("Participación de las mujeres en la reforma agraria y el desarollo rural" ("Women's participation in agrarian reform and rural development"), internal paper, project TCP/PAR/0153, Asunción, November 1991):

- Selling market-garden/farm produce
- Preparing foodstuffs for sale
- Traditional weaving (handicrafts, ahó-poí embroidery, etc.)
- Home-processed commodities (cassava starch, cheese, butter, cigars, candles, etc.)
- Leatherworking
- Farm work
- Tending farmyard animals
- Domestic service, nursing, working as governesses, etc.

359. The following occupations are performed by women outside the home:

- Laundering
- Paid agricultural labour
- Community work
- Domestic service
- Factory work
- Retailing or street-vending

- Teaching

- Midwifery

- Selling farm produce and home-processed commodities

360. Women's daytime activities are to a very great extent gender-related. As already indicated on this topic, there is an intertwining of reproductive tasks (motherhood, feeding, preparing the family meal, caring for the children, fetching water and gathering fuelwood) and productive tasks (participation in farming, livestock-raising and domestic crafts).

5. Female rural household headship

361. According to research conducted by Olga Zarza into rural women and development ("Mujer Rural y Desarrollo", 1991), out of the 253,711 individual producers who head agricultural or livestock businesses, 27,308 are women (i.e. 11.4 per cent). The Central Department has the highest recorded proportion of women heads of farms (19.95 per cent); the lowest percentages are found in the Departments of Alto Paraná (4.72 per cent) and Canendiyú (4.61 per cent), both of which are recently colonized areas where enterprise farming predominates.

362. These data have been taken from the agriculture census carried out in 1981. The most recent agriculture census was conducted in 1991, but the statistical breakdowns have yet to be published. It has thus not been possible to update the information.

363. According to the few studies made of households headed by women, such households are the poorest. In the highest-growth areas where the capitalist economy is most in evidence, women head the fewest households and are least involved in the control and management of resources at both the productive and the reproductive levels. The old settlement areas, which are the most economically depressed, are where women now possess the highest levels of responsibility. Indeed, almost 20 per cent of producers in charge of farms covering less than five hectares are women, and these account for 57 per cent of all female farming household heads nationwide. This means that, out of the 27,308 women heads of farms over the country as a whole, 15,356 run farms situated in small-scale farming areas.

364. On the smallholdings, the bulk of agricultural and animal-raising work is increasingly falling to women, since the men are moving away to work as wage-earners on estates or in towns nearby. Consequently, the highest rates of female household headship are found in the departments with the highest recorded migratory exodus levels (Paraguarí, Cordillera, Concepción, Guairá, Ñeembucu, Misiones, etc.).

365. Compared to men, women heads of household are tied to production in a highly disadvantageous way. This is because they are additionally responsible for reproductive tasks, which makes their working day both arduous and long. Despite such extra efforts, their children are more exposed, and their own health suffers through physical and mental exhaustion.

III. DEMAND FOR RURAL CREDIT

366. The provision of formal credit to peasant farmers is grossly inadequate. Only 10 per cent out of a total of 140,000 small-scale producers have received assistance at any time from formal credit institutions, either public or private; less than 45 per cent of the annual financing required for rural staple crop cultivation is supplied through formal credit channels, and loan assistance to small-scale rural industries is virtually nil.

367. Institutional lending to peasant farmers is channelled via three sources of financing:

(a) The National Development Bank, which has been responsible for granting some 81 per cent of all institutional credit;

(b) The Agricultural Loans Institute (CAH), which over the last decade provided, on average, just 12 per cent of all institutional credit to peasant farmers and whose clients account for about 20 per cent of the total number of registered borrowers;

(c) The cooperatives, which are estimated to have furnished approximately 7 per cent of all institutional credit to peasant farmers and whose client borrowers make up approximately 2 per cent of the total (International Fund for Agricultural Development report, 1990).

368. Access to credit is one of the major problems facing rural families. Lack of money and peasant farmers' difficulties in obtaining institutional credit force them to resort to borrowing from money brokers and local merchants, who charge them exorbitant rates of interest (varying from 60 to 200 per cent per annum, according to a survey carried out by CPES).

369. Rural women do not, as a general rule, own the land on which they live, the title deeds being normally in their husband's or partner's name. Because they are not property owners, they do not have access to credit, since one of the requirements for obtaining loans is precisely the ownership of property that can be used as security.

370. According to a report by the United Nations system inter-agency mission that visited Paraguay in 1990, there are at present in the country few programmes aimed at women that take account of their productive role or that consequently seek to increase their productivity through loans and technical assistance.

371. Women participate primarily in subsistence farming, and it is this form of agriculture that receives least assistance. The Agricultural Advisory Services operates women's help programmes in matters such as nutrition, health and home improvements. As a result, there is very little incentive for women to engage in agricultural production, which means that loan schemes are not aimed at them.

Cooperatives

372. Cooperative enterprises in general and agricultural cooperatives in particular have developed very little in Paraguay owing to restrictions stemming from the political climate that characterized the country during the last four decades.

373. There are at present in the country 352 legally recognized cooperatives grouped into five federations or second-level cooperatives. The second-level cooperative that is made up mostly of agricultural producers is the Central Cooperativa Nacional Ltda. (Credicoop).

374. The cooperatives operating in the rural communities number 125 and fall into two types (these being the commonest nationwide): production cooperatives and savings and loans cooperatives. The membership of the production cooperatives comprises small-scale farmers, medium-sized and large rural entrepreneurs, and also smallholders. Most smallholders belong to the savings and loans cooperatives, whose members also include white-collar employees, skilled workers and small-scale urban tradespeople.

375. There are no legal restrictions to women's membership in these organizations. However, very few women belong to them. It should be pointed out that no statistical data exist showing female cooperative membership numbers. According to remarks made in an interview with the former Director of Credicoop, there are currently three major rural cooperatives that are run by women, namely those of Ñeembucú, Itacurubi de la Cordillera and Paraguarí. Generally speaking, women are involved only as members, and very few hold managerial posts. A further point mentioned by our interviewee is that women usually apply for loans in order to meet expenditure on health, education or household items, whereas men do so in connection with their farm production. Here again, the strict allocation of roles is in evidence.

IV. LEGAL STATUS OF RURAL WOMEN

376. Under the principle of equal rights embodied in the Agrarian Statute (Law No. 854/60), women are recognized as direct beneficiaries of the agrarian reform and are thus granted the right to their own land. In practice, however, the percentage of women who legally own farming plots is minimal.

377. It is married women who are most discriminated against. The Agrarian Statute reproduces the provisions of the Civil Code whereby the man, as head of the family, is the lawful landholder. This puts women in a disadvantaged position vis-à-vis men. Furthermore, women united de facto are not protected under the existing Civil Code and, since most de facto unions are found in rural areas, we may conclude that rural women are the most affected by this situation.

378. We will not at this stage examine in depth the other Codes, since these affect all women equally, both rural and urban, and the legal status of women is dealt with extensively elsewhere in this report.

V. SPECIAL PROGRAMMES TO ASSIST RURAL WOMEN

379. Schemes for the direct benefit of women are being developed by various public and private institutions. There are also programmes and projects that involve women, but in a more indirect manner.

380. The public-sector organizations that are pursuing programmes specifically designed to assist rural women are the Ministry of Agriculture and Livestock, the Ministry of Justice and Labour, the Ministry of Public Health and Social Welfare, the Ministry of Education and Religion, and the Directorate for Social Assistance and Relief. Within the private sector, most of the assistance projects are undertaken by non-governmental organizations.

Articles 15 and 16

Equality of men and women before the law

Women are to be accorded equality with men before the law, and are to have a legal capacity identical to that of men and the same opportunities to exercise that capacity as regards concluding contracts and administering property and in proceedings before courts and tribunals; all contracts and other private instruments with a legal effect restricting the legal capacity of women are to be deemed null and void; women are to have the right to freedom of movement and to freely choose their residence and domicile.

Equality in all matters concerning marriage and family relations

Women are to have the same rights and responsibilities as men in matters relating to marriage and family relations, and in particular: with regard to entering into marriage; with regard to choosing a spouse; during marriage and at its dissolution; as parents, irrespective of their marital status; as regards deciding freely on the number and spacing of their children and having access to the information, education and means to enable them to exercise these rights; with regard to guardianship, wardship, trusteeship and adoption of children; the same personal rights as husband and wife, including the right to choose a family name, a profession and an occupation; with respect to the ownership, acquisition, management, administration, enjoyment and disposition of property.

A minimum age for marriage is to be specified, and the registration of marriages in an official registry is to be made compulsory.

381. The motto of the Paraguayan Women's Coordination Unit is "For our equality before the law". This refers not to equality under formal legislation but rather to equality under substantive legislation, for it

can be said that women receive equal treatment with men before the courts. They may sue and be sued in their own name, female lawyers are not subject to any restrictions in representing their clients in court, women may be witnesses, and they have the same access as men to legal services, depending, of course, on their financial resources.

382. It is in the National Constitution and under the civil, labour and penal laws that equality before the law needs to be recognized.

National Constitution

383. The existing National Constitution was promulgated in 1967 against an authoritarian background, and a National Constituent Convention comprising representatives of four political parties and one independent movement (all democratically elected on 1 December 1991) is now meeting. It is to be hoped that the principles of equality and non-discrimination will be embodied in the new Constitution with no restrictive qualifications.

384. In the discussion on article 9, it was shown that no discrimination exists in regard to nationality. The principle of gender equality is set out in article 51 of the Constitution, which is quoted below.

385. Article 51. The Constitution recognizes the equality of the civil rights of men and women, whose correlative duties are to be established by law, having regard to the purposes of matrimony and to the unity of the family.

386. It can be seen that, by making the establishment of correlative duties dependent on the aims of marriage and family unity, this article restricts the nature of the equality that it supposedly provides for. Furthermore, under article 81 of the Constitution, the family is regarded as the fundamental unit of society and marriage as the basic institution of the family. As will be shown below, it is precisely in marriage that Paraguayan legislation discriminates most heavily against women.

387. However, with regard to maternity, article 85 of the Constitution lays down that this shall be protected by the law and that "the necessary measures shall be established to ensure the protection of the law to every child, without distinction, from its conception". As we have seen in the discussion on article 7 of the Convention, the equal political rights of men and women are recognized under article 112 of the Constitution.

388. Women's exclusion from compulsory military service is also constitutionally laid down. The relevant article is reproduced below.

389. Article 125: All Paraguayan citizens shall be obliged to bear arms in defence of their native land and of this Constitution. Military service is compulsory for male citizens, who, on completion thereof, shall form part of the reserves. Women shall not perform military service, except in case of need during international war and as non-combatants.

390. Military service is one of the most controversial issues in the National Constituent Convention. Under the terms of some proposals, military

service should be made compulsory for men, with exemptions on the grounds of conscience, and optional for women. Other proposals, including that put forward by the Paraguayan Women's Coordination Unit, call for optional military service for both sexes. Finally, there are proposals that this question should not be part of constitutional law.

Civil Code

391. The existing Civil Code (Law No. 1183/85), which came into force on 1 January 1987, recognizes equal civil rights for men and women, whether single, divorced or widowed, as was already established under the Women's Civil Rights Act (Law No. 236/54).

392. The Civil Code is possibly the instrument within Paraguayan substantive law that contains most provisions of a discriminatory nature against women, primarily with regard to legal capacity, administration of joint marital property and de facto unions, in addition to other matters such as choice of name and residence.

393. The Civil Code defines legal capacity as follows:

394. Article 36. Legal capacity to act is a person's lawfully permitted exercise of his or her rights by or for himself or herself. Any individual over 20 years of age who has not been declared judicially incapacitated is hereby acknowledged as possessing full legal capacity.

395. However, under article 158, married women are required to obtain the consent of their husband or, in his absence, the additional permission of a judge, in order to perform most acts concerned with active involvement in society, whereas a husband does not need the agreement of his wife or of third party to be able to perform the same acts. The text of the article clearly illustrates the point.

396. Article 158. The agreement of both spouses shall be necessary for the woman to be able validly to undertake the following actions:

(a) To pursue a profession, trade or business in a self-employed capacity, or to engage in work outside the home;

(b) To offer her employment services;

(c) To set up general, active, limited or stock partnerships;

(d) To accept gifts;

(e) To renounce inheritances or legacies; and

(f) To freely dispose, by act inter vivos, of property administered by her.

397. Whenever a husband's agreement is required, should he refuse or be unable to give his consent, the wife will be entitled to seek the necessary authorization from a judge, who will grant it if the request is consistent with the needs or interests of the household.

398. It should be pointed out that, under the Civil Code Partial Amendment Bill submitted by the Paraguayan Women's Coordination Unit, which is half-way through approval by the Senate, men and women would be granted the same capacity to enjoy and exercise their rights, regardless of marital status.

399. Discrimination is also evident in the matter of property administration within marriage, since a husband is the sole administrator of the joint estate - i.e., both of the assets acquired through marriage and also of his own and his wife's property - as is laid down in the article reproduced below.

400. Article 195. The husband shall be the administrator of the property of the marital partnership, except as provided for herein.

401. The only circumstance in which a woman may be nominated administrator is if her husband is declared insane, but even then a third party could be appointed as trustee and would thus administer the wife's property also. Should a wife wish to administer her own property, she would have to effect a division of the estate. Under the bill drafted by the Paraguayan Women's Coordination Unit, it is proposed that the administration of assets acquired during marriage should be shared and that each spouse should administer his or her own property.

402. What women do in fact share are the responsibilities and obligations of the marriage partnership, as is laid down in article 194 of the Civil Code. Also, they are entitled to and may administer property designated for personal use, although this does not include property acquired by means of their own earnings, as had been permitted under Law No. 236/54. Hence, the Civil Code, promulgated 31 years later, is seen as a legislative step backwards with regard to gender equality.

403. De facto or consensual unions are a type of family arrangement frequently encountered in Paraguay and were even recognized as free or open marriages by Law No. 236/54. Under that law, if a couple with no diriment impediment had cohabited for five years, their consensual union would be deemed equivalent to marriage, i.e. a marital property partnership would be established.

404. The Civil Code currently in force treats a de facto union as a de facto partnership. Strangely enough, this latter concept is not governed by the Civil Code. The only equivalent legal concept that does appear in the Civil Code is to be found in the reference to the simple partnership, which is defined in article 1013 and governed by article 1014. These are quoted below.

405. Article 1013. A partnership shall be deemed simple unless it possesses the character of any other partnership governed by this Code or by specific laws, and unless its object is the pursuit of a commercial activity.

406. Article 1014. A simple partnership agreement shall not be subject to any special signature except as may be required by the nature of the contributed assets.

407. The legal expert Mercedes Sandoval de Hempel, who has carried out extensive work on this topic, has shown that the new provisions constitute a retrograde step as far as protecting the rights of women united de facto is concerned, since it now has to be proven that such a union exists, and there may be evidence to the contrary. The bill of the Paraguayan Women's Coordination Unit, drafted by Mrs. Sandoval on the basis of the resolutions adopted at two nationally organized women's meetings, stipulates that, after four years of cohabitation between persons with no diriment impediment, a matrimonial property partnership is established. This period may be shortened if children are born to the couple, in which case the partnership would be formed upon the birth of the first child.

408. The bill of the Paraguayan Women's Coordination Unit also provides for the possibility whereby, through the simple cost-free act of registration before a justice of the peace or in the civil Registry, a de facto union may, after a ten-year period of cohabitation, be deemed fully equivalent to marriage and the children regarded as having been born in wedlock.

Penal legislation

409. It is possibly in the area of penal law that most progress has been achieved since Paraguay's ratification of the Convention on the Elimination of All Forms of Discrimination against Women in 1986. The Paraguayan Penal Code that had been promulgated in 1914 defined criminal offences differently according to whether the offender was male or female. Such was the case with adultery.

410. Under article 196, a man was considered adulterous only if he kept a concubine within the marital home or a mistress outside it, causing public outrage, and was liable to between 10 and 20 months' imprisonment and suspension of marital authority for the duration of his sentence, whereas a woman committed adultery if she had sexual intercourse with a man who was not her husband and, under article 195, both she and her lover (even if only an occasional partner) would have been sentenced to between one and three years' imprisonment.

411. However, the discrimination went even further since, under the terms of article 21, subsection 7, of the Penal Code, a man who, on unexpectedly discovering his wife in the act of committing adultery, killed, injured or assaulted her or her accomplice was not liable to any penalty unless the husband's wilful and flagrant abandonment of his wife had rendered her conduct excusable. In other words, men were permitted to kill.

412. Article 21, subsection 7, and articles 295 and 296 were repealed by Law No. 104/90. Adultery is no longer a criminal offence in Paraguay and no one is permitted to kill, although article 1 does state the following:

413. Article 1. Either spouse who unexpectedly discovers the other in the act of sexual intercourse with a third party and kills or assaults the other spouse or the other party shall be liable to one half of the punishment applying to the offence concerned, unless the spouses are separated.

414. Areas in which progress would have been desirable but has not been made concern the criminal acts of abduction and rape, in the first place because they are still a matter for private criminal prosecution since they are regarded as offences against public propriety and decency, and secondly because a discriminatory classification of victims of abduction and rape still exists and harsher penalties continue to be applied in the case of married women. This is because the offence is regarded as an insult against the husband, something which cannot arise in the case of unmarried women. These aspects can be seen in articles 2 and 6 of Law No. 104/90.

415. Article 2: Article 315 of the Penal Code is amended to read as follows:

416. Rape shall be penalized by:

1. Between 18 and 24 years' imprisonment if committed against a person of either sex who is less than 11 years old;

2. Between 18 and 20 years' imprisonment if committed against a person of either sex who is more than 11 but less than 16 years old;

3. Between eight and 12 years' imprisonment if committed against a married woman; and

4. Between six and ten years' imprisonment in all other cases.

If the rape results in the death of the victim or if the offence is perpetrated by more than one person on the same occasion, the sentence shall be increased by one half.

417. Article 6. Article 325 of the Penal Code is amended to read as follows:

418. Abduction shall be penalized by:

1. Between three and six years' imprisonment if the victim is less than 12 years old;

2. Between two and four years' imprisonment if the victim is less than 15 years old or a married woman; and

3. Between one and three years' imprisonment in all other cases.

In the cases referred to in subparagraph 1 and the first part of subparagraph 2 of this article, the consent of the victim shall not exempt the accused from enforcement of the penalty.

419. It should be noted that, with regard to abortion, it is only the woman and the practitioner (and not the male procreator) who are punished, and that according to Pan American Health Organization statistics, Paraguay has the highest rate of abortion-related deaths in the whole of Latin America.

420. Finally, we may mention that the penal provisions relating to prostitution have already been dealt with in this report under Article 6.

Labour legislation

421. A general review of the discriminatory aspects of the law relating to employment already appears in the report under article 11, specifically in point 6. It merely remains to be added that night work and work that constitutes a health risk continue to be barred to women in Paraguay, in compliance with International Labour Organisation Convention No. 4. These provisions possibly need to be revised in order to ensure equal access of men and women to employment.

Annex A

POPULATION STATISTICS

1. Total population and male-female ratios

According to estimates and projections drawn up by the Directorate-General for Statistics and Censuses and by CELADE, Paraguay's population was expected to be 4,277,000 in 1990, rising to close on 5 million by 1995 (see table 2).

In 1982, the year of the last nationwide census, the population stood at 3,030,000 inhabitants, of whom 49.4 per cent were females and 50.6 per cent were males, i.e. a fairly even male/female split. However, that year (1982) marked a reversal of the trend that had existed from 1950 to 1972 since, in 1982, the percentage of males for the first time exceeded that of females (by a slight margin), whereas between 1950 and 1972 females had outnumbered males (see table 1).

According to the estimates made, the 1982 pattern was expected to continue in subsequent years, i.e. a slightly higher percentage of males than females (see table 2).

2. Density

Paraguay is a country with a low population density. Its 406,752 km^2 housed 3.2 inhabitants per km^2 in 1950 and 7.4 in 1982, the projected figure for 1990 being 10.5 inhabitants per km^2 (see tables 1 and 2).

3. Male and female population by area (urban/rural)

As can be seen from table 1, the country became increasingly urbanized over the period from 1950 to 1982. Indeed, in 1950, 34.6 per cent of the population resided in urban areas whereas, in 1982, the urban population constituted 42.7 per cent of the total population.

This same pattern can be seen in the male/female ratios. Indeed, in 1950, 33.4 per cent of males resided in urban localities, rising to 41.1 per cent by 1982, the corresponding figures for females being 35.8 and 44.3 per cent respectively (see table 1).

4. Urban and rural population by sex

A predominance of females can be observed in rural areas. Thus, in 1982, 51.7 per cent of urban dwellers were female, although the percentage had been falling over the period 1950-1982 (see table 1). In rural areas, however, the percentage of females clearly declined after 1950. Since 1962, it has been less than that of males, and by 1982 the proportion of females living in rural areas was 48.4 per cent (see table 1).

5. Age groups

Age patterns for the female population are similar to those for the population as a whole. Indeed, in 1988, females below the age of 25 years

accounted for 60 per cent of the total female population. With regard to the entire national population, that percentage was 60.5 per cent and for males 61 per cent. In all age groups up to 44 years, the proportion of females was less than 50 per cent, whereas, in the 45-54 range, women accounted for 50 per cent, and in the age groups from 55 years upwards they constituted over 50 per cent (see table 3).

Table 1

Population trends by area and sex
(Absolute figures, in thousands, percentages and inhabitants per km^2)

	1950	1962	1972	1982
TOTAL	1,328	1,819	2,358	3,030
Male	649	894	1,169	1,521
Female	679	925	1,189	1,509
URBAN	460	652	882	1,295
Male	217	306	417	626
Female	243	346	466	669
RURAL	869	1,167	1,476	1,735
Male	432	588	852	896
Female	437	579	723	839
DENSITY	3.2	4.5	5.8	7.4

Male and female population by area (in percentages)

TOTAL	100.0	100.0	100.0	100.0
Urban	34.6	35.8	37.4	42.7
Rural	65.4	64.2	62.6	57.3
MALE	100.0	100.0	100.0	100.0
Urban	33.4	34.2	35.7	41.1
Rural	66.6	65.8	64.3	58.9
FEMALE	100.0	100.0	100.0	100.0
Urban	35.8	37.4	39.2	44.3
Rural	64.3	62.6	60.8	55.7

Urban and rural population by sex (in percentages)

TOTAL	100.0	100.0	100.0	100.0
Urban	48.9	49.1	49.6	50.2
Rural	51.1	50.9	50.4	49.9
MALE	100.0	100.0	100.0	100.0
Urban	47.2	46.9	47.3	48.3
Rural	52.8	53.1	52.7	51.7
FEMALE	100.0	100.0	100.0	100.0
Urban	49.7	50.3	50.9	51.7
Rural	50.3	49.7	49.1	48.4

Source: FLACSO 1991, based on the 1950, 1962, 1972 and 1982 Population and Housing Censuses, Directorate-General for Statistics and Censuses.

Table 2

Population trends by sex
(Absolute figures, in thousands, percentages and inhabitants per km^2)

	1986	1987	1988	1989	1990	1991
TOTAL	3,807	3,922	4,039	4,157	4,277	4,893
Male	1,927	1,986	2,045	2,105	2,166	2,477
Female	1,880	1,937	1,994	2,052	2,111	2,416
DENSITY	9.4	9.6	9.9	10.2	10.5	12

Total population by sex (in percentages)

TOTAL	100.0	100.0	100.0	100.0	100.0	100.0
Male	50.6	50.6	50.6	50.6	50.6	50.6
Female	49.4	49.4	49.4	49.4	49.4	49.4

Source: FLACSO, 1991. Paraguay. "Estimación y proyección de la población según sexo y grupos de edad. Periodo 1950 a 2025". 1986, Directorate-General for Statistics and Censuses.

Table 3

Population by sex and age group
(Absolute figures (thousands) and percentages, for 1988)

TOTAL	0-4	5-14	15-24	25-34	35-44	45-54	55-64	65 and over	
TOTAL	4,039	625	1,014	806	643	403	242	163	143
Male	2,045	319	517	411	329	207	121	77	64
Female	1,994	306	497	395	314	196	121	86	79
TOTAL	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Male	50.6	51.0	51.0	51.0	51.2	51.4	50.0	47.2	44.8
Female	49.4	49.0	49.0	49.0	48.8	48.6	50.0	52.8	55.2

Source: FLACSO, 1991, based on the 1989 Paraguay Statistical Yearbook, Directorate-General for Statistics and Censuses.

Annex B

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